ARTICLE 1

Subject to the provisions of the present convention the United States consents to the administration of Palestine by His Britannic Majesty, pursuant to the mandate recited above. ARTICLE 2

The United States and its nationals shall have and enjoy all the rights and benefits secured under the terms of the mandate to members of the League of Nations and their nationals, notwithstanding the fact that the United States is not a member of the League of Nations.

ARTICLE S

Vested American property rights in the mandated territory shall be respected and in no way impaired.

A duplicate of the annual report to be made by the Mandatory under article 24 of the mandate shall be furnished to the United States.

ARTICLE 5

Subject to the provisions of any local laws for the maintenance of public order and public morals, the nationals of the United States will be permitted freely to establish and maintain educational, philanthropic and religious institutions in the mandated territory, to receive voluntary applicants and to teach in the English language.

ARTICLE 6

The extradition treaties and conventions which are, or may be, in force between the United States and Great Britain, and the provisions of any treatles which are, or may be, in force between the two countries which relate to extradition or consular rights shall apply to the mandated territory.

ARTICLE 7

Nothing contained in the present convention shall be affected by any modification which may be made in the terms of the mandate, as recited above, unless such modification shall have been assented to by the United States.

ARTICLE 8

The present convention shall be ratified in accordance with the respective constitutional methods of the High Contracting Parties. The ratifications shall be exchanged in London as soon as practicable. The present convention shall take effect on the date of the exchange of ratifications.

In witness whereof, the undersigned have signed the present convention, and have thereunto affixed their seals.

Done in duplicate at London, this 3rd day of December, 1924.

FRANK B. KELLOGG AUSTEN CHAMBERLAIN RECESS

Mr. CURTIS. I move that the Senate take a recess, the recess being, under the order previously entered, until noon

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Saturday. February 21, 1925, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 20 (legislative day of February 17), 1925

UNITED STATES ATTORNEY

Haveth E. Mau, of Ohio, to be United States Attorney, southern district of Ohio, vice Benson W. Hough, appointed United States district judge.

REGISTERS OF THE LAND OFFICE

Walter Spencer, of Colorado, to be register of the land office at Denver, Colo., in accordance with provisions of Interior Department appropriation act approved June 5, 1924.

Charles S. Merrill, of Colorado, to be register of the land office at Glenwood Springs, Colo., vice Walter Spencer.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 20 (legislative day of February 17), 1925

POSTMASTERS

Arthur M. Burnside, Boone. Albert L. Meredith, Lynnville. Arthur M. Michaelson, Roland.

KANSAS

Axel F. Holmgren, Lincolnville.

MARYLAND

Carolyn M. Stuart, Brentwood.

OHIO

William E. Pangburn, Felicity.

OREGON

Mabelle N. Olds, Cloverdale. Elizabeth M. Ward, Philomath.

PENNSYLVANIA

Lucy Hawkins, Export. Hobart M. Lord, Hastings. George C. Brown, Masontown.

WISCONSIN

Earle R. Adamson, Belleville, Arthur G. Besse, Butternut. Thomas D. Morris, Cambria. Robert W. Brown, Lakemills.
Dorothea Devlin, Loyal.
Leo E. Butenhoff, Markesan.
Carl C. Martin, New Lisbon. Edward B. Shanks, Portage. Herbert Hopkins, Randolph. Arthur V. DeWitt, Sayner. Jessie M. McGeorge, Stone Lake. Arthur Heins, Tigerton. August J. Christianson, Webster.

WYOMING

Harry J. Thompson, Parco.

HOUSE OF REPRESENTATIVES

FRIDAY, February 20, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

The Lord God omnipotent reigneth; He is clothed with majesty and power, and naught can shake Thy sure repose. O spirit divine, Thou art the source of all things good. Freely Thou dost bestow, and only most gratefully may we receive. Continue to be our way, our truth, and our life. Be our help and our inspiration not only to our senses but to our spiritual natures. In our daily duties always show us the acceptable method, the wise way, and the divine order and purpose. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. BLANTON. Mr. Speaker, I make the point of no quorum. The SPEAKER (after counting). A quorum is not present. Mr. LONGWORTH. Mr. Speaker, I move a call of the

A call of the House was ordered. The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 75] [Ro Kendall Kerr Kiess Kindred Kunz Langley Lankford Larson, Minn. Lee, Ga. Lilly Lindsay McLeod McNulty McSweeney MacGregor Michaelson Moore, Ili. Moore, Ohio Nolan O'Brien O'Sullivan Parker Seger Sherwood Sullivan Sumners, Tex. Sweet Berger Brand, Ohio Buckley Curry Dominick Doyle Edmonds Sweet Tague Vare Ward, N. C. Wertz Williams, Tex. Winslow Wolff Wurzbach Vates Peavey Perlman Phillips Porter Quayle Roach Fitzgerald Fredericks Free Fulbright Garner, Tex. Glatfelter Goldsberough Johnson, W. Va. Jost Rogers, Mass. Rogers, N. H. Rouse Yates Zihlman

The SPEAKER. Three hundred and sixty-eight Members

have answered to their names; a quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

COOPERATIVE MARKETING BILL

Mr. WILLIAMS of Michigan. Mr. Speaker, I desire unanimous consent of the House to have put in the form of a bill certain amendments that I desire to propose to the bill (H. R. 12348), the cooperative marketing bill coming from the Committee on Agriculture, these amendments consisting of four sections and to stand as part 3, Title I, of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAMS of Michigan. By unanimous consent of the House I am placing in the Record certain amendments that I wish to propose to the cooperative marketing bill. These amendments consist of four sections, and stand as part 3, Title I, of the bill, and read as follows:

PART 3.—LICENSED TERMINAL MARKET ASSOCIATION DEFINITION

SEC. 41. That a licensed terminal market association, as distinguished from a cooperative terminal marketing association, is any association of persons, firms, or corporations, now or hereafter duly and legally organized, in a corporation form or otherwise, as a terminal market association, operating as an exchange for the handling and sale of perishable agricultural products, as such products may be defined by the Federal cooperative marketing board, and whose membership is open equally to representatives of cooperative buying associations, wholesalers, brokers, commission men, and other dealers in or large consumers of perishable agricultural products, and which said terminal marketing associations are licensed by the Federal cooperative marketing board, as hereinafter provided.

SEC. 42. The Federal cooperative marketing board is hereby authorlized and empowered upon application therefor to grant a license to the terminal market associations of the character described in the preceding section on the following terms and conditions:

(a) That the articles of association, by-laws, rules, or methods of carrying on business and of electing its officers, the form of contracts between the association and its members, and other features of the organization are in conformity with law and in accordance with the intent and meaning of part 3 of this title.

(b) That the association agrees for itself and its members to adopt and use for the purposes of transactions under this act all standards for perishable agricultural products which have been or which may be established by or under the authority of section 19 of the United States warehouse act, approved August 11, 1916, as amended, or by or under the authority of any other act of Congress.

(c) That the association, for itself and its members, agree that all disputes with reference to the grades, standards, condition, or quantity of any perishable agricultural product, or the trade rules and regulations, practices, and customs, in respect of such product occurring between any such association and/or its members and/or any coperative marketing association or clearing-house association registered under this act and/or its members shall be submitted for determination by arbitration in the manner prescribed by the board under section 21, subdivision (d), the terms of which are hereby made applicable to licensed terminal market associations as defined in section 41, and that the association and its members will abide by the award thus determined.

(d) That said association shall, subject to the approval of the Federal cooperative marketing board, prescribe in its by-laws or rules such regulations governing admission to membership and continuance of membership bearing upon financial responsibility and commercial conduct as shall reasonably protect registered cooperative marketing associations or registered cooperative clearing-house associations, or their members, respectively, in dealings under this act with said association or any of its members.

(e) That the association, for itself and its members, will permit the examination of books and records of such association and/or its members by the board with reference to any sale or transaction which may be in dispute and subject to arbitration as aforesaid.

(f) That the association and/or its members will abide by any rule or regulation of the board made to carry out any provision of part 3 of this title.

Sec. 43. (a) If the beard finds, after giving not less than 30 days' notice and opportunity for a hearing to a licensed association, that such association is no longer eligible for license under the act or has violated any applicable provision of this act or any regulation of the board promulgated under authority of any such provision, the board may—

(1) Impose any penalty prescribed under this section for such violation; and/or

(2) Suspend, for such period as it may designate, or revoke the license of any such association.

(b) Any licensed association may request revocation of its license and obtain such revocation upon application to the board, together with a duly authenticated statement showing that such request for revocation has been authorized by a majority of the members of such association. Such revocation shall take effect 30 days after the receipt of such application by the board.

(c) The board may prescribe, for violation of any provision of part 8 of this title or any regulation of the board promulgated under the authority of such provision, a civil penalty of not more than \$50 for each day during which the violation continues. The board may collect in a civil suit brought in the name of the United States any such penalty which it has imposed in a proceeding under this section and which remains unpaid. The revocation or suspension of the license of an

association shall not bar the collection of any penalty imposed upon such association by the board.

SEC. 44. Any association licensed under part 3 of this title shall have the right to use the words "U. S. Licensed Terminal Market Association" on its stationery and labels and in its advertising. No such licensed terminal-market association shall have any rights under this act other than as provided in part 3 of this title, except the right to secure arbitration of disputes as provided for in this act. No such licensed terminal-market association shall have any immunities from the operation or application of any of the acts specified in section 6 of title 2 of this act.

OPERATION OF FERRIES

Mr. DEAL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon the question of the operation of the ferries between Portsmouth and Norfolk, in my district, by the Housing Corporation.

The SPEAKER. Is there objection? There was no objection.

Mr. DEAL. Mr. Speaker, under an act of the General Assembly of Virginia of January, 1641, the county of Norfolk was authorized to maintain a ferry from Norfolk Town to Sawyers Point, now the city of Portsmouth. These ferries appear to have been mentioned by name in an act of August, 1702, authorizing the county of Norfolk, the licensing and appointing a ferry keeper and other powers necessary for the operation of same. The ferries continued as the property of Norfolk County until 1858, when the city of Portsmouth was carved out of Norfolk County and made a separate municipality, at which time, by arbitration, the ferries became in part the property of the city of Portsmouth, and have since been operated jointly by the county of Norfolk and the city of Portsmouth.

In 1891 the city of Portsmouth and the county of Norfolk attempted to lease the ferries but were enjoined from so doing, which injunction appears to have been sustained by the Supreme Court of Appeals of Virginia, the court saying that the ferry property came into the hands of the city and county as a public trust; that the ferries were public highways, and were conferred upon the city and county to be used for a public benefit, thus indicating in the strongest terms that the ferries were not to be operated for profit but were "a public trust," "a public highway," and "to be used for a public benefit." These salient facts are taken from an opinion prepared by Mr. John W. Happer and Mr. Frank L. Crocker, attorneys for the ferries company. I might refer further to the fact that in the original act, quoting from the same authority, the county was required to keep three ferries and maintain them by a levy. I have not examined later acts of the General Assembly of Virginia, and the opinion to which I have referred does not go into detail as to the rights of operating these ferries for profit.

My impression, however, is that no competitive ferry can be operated within a considerable distance on either side of the present ferries, all of which suggest that the said ferries were given a monopoly and, therefore, should not be operated for profit, but in the general interest of the public. For many however, with the increased traffic, and with no increase of tolls, there has been a continuing increase of revenue, so that at each termination of a lease new leases have been sold for periods of 10 years at material increasing advances. In 1910, when the last lease was made, the sum of \$135,200 per annum was offered and accepted; and they were operated presumably at a profit, with no increase of tolls until 1918, when, as a war measure, the Federal Government took over these ferries and the lease then in force from the lessors and amended the contract with the city of Portsmouth and county of Norfolk, in which it was agreed that the Government would continue to pay the same annual rental, make such additions and improvements as might be necessary, keeping an account thereof against the city of Portsmouth and county of Norfolk, or the ferries company; and providing further that at the expiration of three years after a proclamation of peace the ferries should be returned to their rightful owners and that there should be an appraisal of the betterments only to these properties made by the Federal Government; that the Federal Government should appoint two of the appraisers, the city of Portsmouth and the county of Norfolk two, and that these four should select one. The value of such betterments, as appraised, should be paid to the Federal Government by the owners of the ferries. It appears that the Government spent in additions to the plant \$1,300,000, approximately, during the war and at the peak of high prices.

A ferry slip was built, at considerable expense, which, owing to a mistake of the Government engineers, was too small to admit of the entrance by such boats as were necessary for the service. This slip had to be removed and rebuilt at considerable expense. In the course of operation, the Federal Government discontinued the use of the ferry between Portsmouth and Berkley, thereby reducing the operating expenses to the extent, in my judgment—I have not the figures before me—of quite 40 per cent, very nearly, if not quite, covering the increased operating expense. Nevertheless, the Government increased its charges for passenger service 100 per cent, and vehicular service approximately 150 per cent, with the result that during the past four years the Government has realized a net profit in the operation, of \$534,200, after paying a rental of \$135,200. It would seem from this that the Government has not operated the ferries in the interest of its patrons, as intended, but in the interest of profit for the Federal Government; so that citizens using this ferry have been required to contribute to an unwarranted profiteering by the Federal Government. This, in effect, is a tax upon the ferry users in my district for the benefit of all the taxpayers of the United States, against which I again register my earnest protest.

More than three years have elapsed since the proclamation of peace by the President of the United States, and still these ferries have not been returned to their owners. Perhaps this is due to the desire on the part of the Housing Corporation, to whom has been allocated the duty of operation, to continue the life of the corporation, and as an excuse, therefore, provide a surplus revenue to the Government. Whether this be true or not, the fact remains that the increasing traffic yielded to the Federal Government during the past year \$184,000 net revenue, to which the Housing Corporation points with pride.

I might say that this is no evidence of superior management or skill in operation. If you give to any company or individual a monopoly of a commodity that must be used and the power to make such charges as he or they may desire, there would be no art in making the profit any amount desired. It appears now that the Housing Corporation is taking the position that, owing to this unmoral and probable illegal profit, to which it points with so much pride, it is claiming the right to capitalize the value of the betterments made to property owned by the city of Portsmouth and the county of Norfolk on the basis of its earning value, figured at \$5,000,000, and has, therefore, or for some other reason, delayed the appointment of appraisers to meet appraisers already appointed by the city of Portsmouth and the county of Norfolk for the valuation of the property.

A few weeks since I took occasion to call the attention of

A few weeks since I took occasion to call the attention of Congress to this situation, feeling that I was representing the interest of my constituents in so doing. It chanced that at or about this time I received a request from private interests within my district to introduce a bill in Congress asking for an authorization to build a bridge over the southern branch of the Elizabeth River between South Norfolk and Norfolk County, at a point between the Peabody track on the eastern side and the Dickson track on the western side of the river. When announcement was made through the press of the introduction of the said bill in Congress, I received the following telegram signed by the manager of the city of Portsmouth, to wit:

City and county strongly opposed to construction of bridge over southern branch about belt line. This construction will benefit a few interested stockholders and injure interests of Portsmouth and Norfolk County who are stockholders in present ferries. It would mean probable financial wreckage of these ferries, now giving satisfactory and economical service, and the transfer of business to two toll bridges at probably greater expense to the public. Letter follows.

On the 7th I received another wire from the city manager, to wit:

City and county desire to be heard on proposed bridge over southern branch and to present bill authorizing construction of bridge by them. Request pending bill be held in committee until we can act.

To which I replied:

I am in receipt of your wire requesting a hearing on the bridge authorization and that I hold it until you can act. I will endeavor to have a hearing set in which all parties at interest may be present and present their views. I would not agree to hold it until you can act, that being indefinite, but will give you ample time to attend.

My interest in the matter is to represent all the people of my district as nearly as I can, and where there is a disagreement, to see that everybody has an equal chance.

This is the usual procedure in such matters, and although I introduced the bill by request, I took no steps toward denying to any person, or all persons, a full opportunity to be heard before an impartial committee to which the bill was referred.

On the contrary, it was my expectation that a hearing would be set. There was no effort on my part to keep the matter secret, I could not have done so had it been my desire. Whenever a bill is introduced in Congress it is recorded in the journal of its proceedings and in the Congressional Record.

It is open to the press and is generally noted by reporters, particularly those representing the locality affected. I had no thought of entering into a discussion of this question, leaving the merits or demerits to be discussed by others, until some days later I received a letter from the city manager of Portsmouth, dated February 6, in which it was stated that the officials of Portsmouth and Norfolk County—

naturally and properly felt that they should have been given a chance to present their views before the bill was introduced.

And that-

it is the prevailing opinion here that the purpose of this bill, as previously stated, is to frighten prospective bidders and thus materially reduce the amount for which the ferries would lease, in case their owners decide to lease them again.

Whether rightfully or wrongfully, I felt that these comments, as well as the general tone of the letter, implied a purpose on my part to work injury to the interests of the city of Portsmouth and the county of Norfolk—that I originated and timed the introduction of the bill to consummate that event and that they ignored the third but most important interest involved, viz, the general public. It should be borne in mind that every citizen has a legal right to petition and appeal and to enter into any legitimate business, even to the building of toll roads, toll bridges or toll ferries, or the operation of toll street cars or steam railways; and where such enterprises are of a quasi public nature, authority must be obtained from some duly constituted legislative power. In this particular instance the Elizabeth River, being a part of the intracoastal waterway from Boston to Florida, connecting with the Albemarle Sound by a Government-owned canal, thus enabling continuous and interstate traffic, it clearly comes within the province of the Congress of the United States to grant such an authorization. The citizen, or citizens, seeking such an authorization can

only do so through a Representative having the right to introduce a bill before Congress. The Representative of the district in which the authorization and project is proposed, is naturally he to whom such projectors would go and request the introduction of a bill. It is patently right and proper that a Representative should present matters referred to him for such introduction, and if he did not introduce such matters so referred to him by his constituents, the constitutional right of appeal would not avail. Had the city of Portsmouth and the county of Norfolk been the projectors and have presented to me a request for the introduction of such a bill, I certainly should not have gone to the city councils of the cities of Norfolk or of Suffolk and consulted with them as to whether or not I should introduce the bill, even though it would still further have placed the control of ingress and egress between these important centers almost entirely within the hands of the city of Portsmouth and the county of Norfolk-a power which might be utilized to the detriment of a majority of the people in the district-but would have promptly introduced it, knowing full well that any or all objections might be heard before a disinterested committee of Congressmen.

It should further be borne in mind that the Ferries Co. have not given to me their full confidence in connection with this matter. I do not claim that they were called upon to do so. Indeed, if they felt that they could handle the situation in Washington without my assistance, and so desired, they acted entirely within their rights.

The impression under which I was placed, however, was that the Ferries Co. desired the return of their properties, and my efforts here have been intended to aid in this direction, and hence my former speech in Congress calling the situation to the attention of this body. Naturally, it was in the nature of an attack upon the Housing Corporation for not complying with its contract with the Ferries Co. Later the president of the Housing Corporation informed me that my people did not want the ferries surrendered by the Government but had been seeking to release them to the Housing Corporation on the basis of \$250,000 annually. This, of course, was quite a surprise to me. Owing to the enormous increase in toll charges heretofore established by the Government, it is natural to assume that so large an increase in the rental would lead to an additional increase of the toll charges, especially since the Government is avowedly operating the ferries for profit, having taken during the past fiscal year \$184,000 net profit from the users of the ferries.

I do not know that it was the intention of the Ferries Co. to make such a lease, though not denied when I mentioned the matter to its representatives; but certainly a conversation along that line would naturally suggest to the Housing Corporation a desire, or indifference at least, to the return of the ferries. The effect of this situation is to fasten upon the users of the ferries the burden of carrying indefinitely the high tolls and large profits incident thereto.

In view of these facts, and representing the people of the entire district, comprising 320,000 persons, as against the wish of a probably thirty or forty thousand persons—for I have strong reason to believe that by no means do all of the people of Portsmouth and Norfolk County, totaling some 75,000 persons, oppose the bridge in question—I can not be accused of improper activity in insisting that the ferries be returned by the Government to their owners or for introducing a bill author-

izing the construction of a bridge.

I was requested to introduce the bill by parties whom I be-Heved to be ready, able, and willing to carry out the project. The public, as evidenced by subsequent events, is very greatly and, indeed, more largely interested than either the owners of the ferries or the projectors. I did not think then, nor do I think now, that in the broader sense the interest of the people of Portsmouth or of Norfolk County would be impaired by the building of such a bridge. If would probably reduce the reve-nues of the ferries, but at the same time would contribute very largely to the development of the entire community-Portsmouth and Norfolk County included. Indeed it appears that the people of Norfolk County living east of the river, representing the greater portion of the county's population, are very vitally interested and desirous of having the bridge. It appears to me that the city and county officials endeavored to educate the public to the idea that I had done a grave injustice to its citizens and to center their thought and prejudice upon me, rather than on the merits of the case, and it is for this reason that I wish to bring this point of view to the attention of the Congres

It may be interesting to know that in the closing months of the past year a request was made for a bridge across the Nansemond River in my district, between the town of Smithfield and the city of Portsmouth, which when built will divert the traffic over the State highway and Smithfield, in a large traffic over the State highway and Smithfield, in a large measure, from Suffolk to the shorter route leading into Portsmouth; and in this instance the manager of the city of Portsmouth and others from Portsmouth appeared at a hearing before the district engineer and urged the building of the bridge. This they had a perfect right to do; but, having taken that position, then it is exceedingly inconsistent to attack me on the grounds that I have sought to injure the ferry interests by introducing a bill at the request of certain citizens for a bridge which they claim will divert some of this traffic from the ferries. "It depends more whose ox is goved."

rries. "It depends upon whose ox is gored."

In the one case it would divert some traffic from Suffolk, in the other it would divert some traffic from the ferries. But both projects are in line with progress and the development which must inevitably come, because it is demanded by the general public and will ungestionably add to the develop-ment and values which will, in my opinion, more than over-

come the loss of legitimate ferry revenues.

The contention that Portsmouth and Norfolk County have advanced—that is to say, loaned to be returned—large sums of money for the construction of State highways, and therefore should not have competition for any part of the traffic, is not well founded, since Norfolk city has likewise advanced large sums for the construction of the same highways. There is no just contention, therefore, that the ferries should monopolize the traffic using these highways at the expense of the city of Norfolk and of the people of the State of Virginia and of the United States, who must pay for the construction of these

Every argument advanced against the building of a bridge is in reality an argument in favor of the bridge. It was not my purpose, and is not now, to take a partisan position in this matter, my only purpose being to defend my position against that which I believe to have been an inconsistent and unjustified attack. I met the request of the ferries company in holding up the bridge matter in order that there might be hearings upon the subject. This, of course, meant that it could not be acted upon at this session of Congress.

The public has ample time in which to digest this matter and for both sides to the contention to present their views before the convening of another Congress; and I trust that some plan may be devised whereby an amicable adjustment may be made.

It may be pertinent for me to say that I introduced a bill for damming and locking the waters of Lafayette River. There was considerable opposition to this project. When I introduced the bill I personally was opposed to the project, believing that it would not be in the interest of the general public, but I introduced the bill and gave to each side the opportunity to be heard, with the result that the committee reported favorably the bill and Congress has authorized the project. I had no more interest or feeling in the bridge than in the Lafayette River Dam, but in the line of duty I introduced the bill, expecting it to stand or fall on its merits. In this case, however, I do not hesitate to say that I believe the bridge to be in line with progress and the development of the entire community, as well as of the highway system; and had I not been attacked, as I feel, unjustly, I should have taken no greater part in the bridge matter than I did in the Lafayette River Dam project. They both came to me in the line of duty and were acted upon accordingly.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table 12101) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1926, and for other purposes, for consideration in the House, as in Committee of the Whole.

The SPEAKER. The gentleman from Iowa asks unanimous consent to consider in the House as in Committee of the Whole the bill H. R. 12101, the legislative appropriation

bill. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object,
I want to ask the gentleman from Iowa if the gentleman is going to give us time to be heard on one or two propositions, and especially the salary increase amendment, to which we have objections?

have objections?

Mr. DICKINSON of Iowa. It is my purpose to present the first 12 amendments in this bill en bloc, if there is no objection on the part of the gentleman from Colorado [Mr. Taylor] or any other Member of the House.

Mr. BLANTON. Will the gentleman give us time to be heard.

on the salary increase amendment before a vote is taken? It

will be entirely within his control.

Mr. DICKINSON of Iowa. Oh, yes.

Mr. BLANTON. And the gentleman will give us time to be heard on it?

Mr. DICKINSON of Iowa. Liberal time.

Mr. FROTHINGHAM. Mr. Speaker, reserving the right to object, may I ask if there will be an opportunity given to be heard on the proposed salary increase; or will that be put through without debate?

Mr. DICKINSON of Iowa. We will have debate on it. Mr. FROTHINGHAM. So that those who object will have an opportunity to be heard?

Mr. DICKINSON of Iowa.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, why does the gentleman wish to put the other amendments en bloe? Why not have them voted on separately? Mr. DICKINSON of Iowa. There is no objection to them.

They are satisfactory to everyone.

The SPEAKER. Is there objection?

There was no objection.

DIVISION OF LANDS AND FUNDS OF THE OSAGE INDIANS

Mr. SNYDER. Mr. Speaker, I present a conference report. for printing under the rules, on the bill (H. R. 5726) to amend the act of Congress of March 3, 1921, entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act of Congress for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes."

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk. announced that the Senate had passed without amendment bill of the following title:

H. R. 157. An act to authorize the more complete endowment of agricultural experiment stations, and for other purposes

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the reve nues of such District for the fiscal year ending June 30, 1926. and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon and had appointed Mr. PHIPPS, Mr. BALL, Mr. Jones of Washington, Mr. GLASS, and Mr. SHEPPARD as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill and joint resolutions of the following titles, in which the con-currence of the House of Representatives was requested:

S. 3824. An act to provide for the appointment of a leader

of the Army band :

S. J. Res. 169. Joint resolution authorizing the Secretary of Agriculture to waive all requirements in respect of grazing fees for the use of national forests during the calendar year 1925; and

S. J. Res. 187. Joint resolution providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes.

The message also announced that the Senate had passed the

following order:

Ordered, That the House of Representatives be requested to return to the Senate the bill (H. R. 7881) to convey to the city of Astoria, Oreg., a certain strip of land in said city.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 27. An act to compensate the Chippewa Indians of Minnesota for timber and interest in connection with the

settlement for the Minnesota National Forest;

H. R. 166. An act authorizing the Secretary of the Interior to issue patent to the city of Redlands, Calif., for certain lands, and for other purposes;

H. R. 2689. An act to consolidate certain lands within the

Snoqualmie National Forest;

H. R. 2419. An act for the relief of Michael Curran;

H. R. 2716. An act to amend paragraph 20 of section 24 of the Judicial Code, as amended by act of November 23, 1921, entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes";

H. R. 2720. An act to authorize the sale of lands in Pitts-

burgh, Pa.;

H. R. 3927. An act granting public lands to the town of Silverton, Colo., for public park purposes;

H. R. 4114. An act authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz.;

H. R. 4522. An act to provide for the completion of the topographical survey of the United States;

H. R. 4825. An act for the establishment of industrial schools

for Alaskan native children, and for other purposes;

H. R. 5170. An act providing for an exchange of lands be-tween Anton Hiersche and the United States in connection with the North Platte Federal irrigation project;

H. R. 5612. An act to authorize the addition of certain lands to the Mount Hood National Forest;

H. R. 6436. An act for the relief of Isidor Steger;

H. R. 6651. An act to add certain lands to the Umatilla. Wallowa, and Whitman National Forests in Oregon;

H. R. 6695. An act authorizing the owners of the steamship Malta Maru to bring suit against the United States of America;

H. R. 6853. An act to relinquish the title of the United States to the land in the preemption claim of William Weekley, sit-uate in the county of Baldwin, State of Alabama;

H. R. 7631. An act for the relief of Charles T. Clayton and

others:

H. R. 7780. An act for the relief of Fred J. La May; H. R. 8169. An act for the relief of John J. Dobbertin;

H. R. 8226. An act granting relief to the First State Savings Bank of Gladwin, Mich.;

H. R. 8267. An act for the purchase of land adjoining Fort Bliss, Tex.;

H. R. 8298. An act for the relief of Byron S. Adams;

H. R. 8333. An act to restore homestead rights in certain cases

H. R. 8366. An act to add certain lands to the Santiam National Forest:

H. R. 8410. An act to change the name of Third Place NE.

to Abbey Place;
H. R. 8438. An act granting the consent of Congress to the county of Allegheny, Pa., to construct a bridge across the Monongahela River from Cliff Street, McKeesport, to a point opposite in the city of Duquesne;

H. R. 9028. An act to authorize the addition of certain lands

to the Whitman National Forest;

H. R. 9160. An act authorizing certain Indian tribes and bands, or any of them, residing in the State of Washington, to submit to the Court of Claims certain claims growing out of treaties and otherwise;

H. R. 9495. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and

operating thereon a fish hatchery;

H. R. 9537. An act to authorize the Secretary of Commerce to transfer to the city of Port Huron, Mich., a portion of the Fort Gratiot Lighthouse Reservation, Mich.;

H. R. 9688. An act granting public lands to the city of Red Bluff, Calif., for a public park;
H. R. 9700. An act to authorize the Secretary of State to enlarge the site and erect buildings thereon for the use of the diplomatic and consular establishments of the United States in Tokyo, Japan;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;
H. R. 10348. An act authorizing the Chief of Engineers of the United States Army to accept a certain tract of land from Mrs. Anne Archbold donated to the United States for park

H. R. 10411. An act granting desert-land entrymen an exten-

sion of time for making final proof; H. R. 10412. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct a bridge across the Little Calumet River;

H. R. 10590. An act authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians;

H. R. 10596. An act to extend the times for commencing and completing the construction of a dam across the Red River of

the North:

H. R. 11030. An act to revive and reenact the act entitled "An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg., approved May 31, 1921; H. R. 11214. An act to amend an act regulating the height

of buildings in the District of Columbia, approved June 1, 1910,

as amended by the act of December 30, 1910;

H. R. 11255. An act granting the consent of Congress to the Kanawha Falls Bridge Co. (Inc.) to construct a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va.;

H. R. 11445. An act to amend the national defense act;

H. R. 11500. An act to amend an act entitled "An act to con-

solidate national forest lands"

H. R. 11668. An act granting consent of Congress to the States of Missouri, Illinois, and Kentucky to construct, maintain, and operate bridges over the Mississippi and Ohio Rivers at or near Cairo, Ill., and for other purposes;

H. R. 11952. An act to authorize the exchange of certain patented lands in the Rocky Mountain National Park for

Government lands in the park; and

H. J. Res. 342. Joint resolution to authorize the appointment of an additional commissioner on the United States Lexington-Concord Sesquicentennial Commission.

PURCHASE OF UNAPPROPRIATED PUBLIC LANDS

Mr. SINNOTT. Mr. Speaker, I present a conference report, for printing under the rules, on the bill (H. R. 8522) granting to certain claimants the preference right to purchase unappropriated public lands.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8522) granting to certain claimants the preference right to purchase unappropriated public lands, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, and 6, and agree to

That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: After the word "corporation" insert a colon and the following proviso: "Provided further, That this act shall not be construed as in any manner abridging the existing rights of any settler or entryman under the public land laws"; and the Senate agree to the same.

N. J. SINNOTT. ADDISON T. SMITH, JOHN E. RAKER, Managers on the part of the House. ROBERT N. STANFIELD, PETER NORBECK, KEY PITTMAN, Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8522) granting to certain claimants the preference right to purchase unappropriated public lands submit the following written statement explaining the effect of the action agreed on:

Senate amendment No. 1 grants the right to purchase to any owner in good faith of land shown by the official public land surveys to be bounded in whole or in part by the erroneously meandered area and who acquired title to such land prior to the passage of the bill.

Senate amendment No. 2 requires the applicant to show that the lands sought to be purchased are not in the legal possession of an adverse claimant under the public land laws.

Senate amendment No. 3 authorizes the Commissioner of the General Land Office, where the meandered line is bounded by two or more tracts, to divide the meandered area so as to permit a fair division of the meandered area among the owners of the surrounding or adjacent tracts. Amendment No. 3 further provides that, in case of conflict of claims, any claimant having placed valuable improvements upon the land involved, or having reduced the same to cultivation, shall be given a preference to the extent of his improvements or cultivation; also that the preference rights shall be limited to 160 acres in one body. The amendment to Senate amendment No. 3, agreed upon in conference, protects the existing rights of any settler or entryman under the public land laws.

Senate amendments Nos. 4, 5, and 6 merely correct the section numbers in the bill.

N. J. SINNOTT. ADDISON T. SMITH. JOHN E. RAKER, Managers on the part of the House.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent that the first 12 Senate amendments be considered

Mr. BLANTON. I am going to object to that, Mr. Speaker, so that question need not be put. We ought to vote on them separately

Mr. BRITTEN. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it. Mr. BRITTEN. Was not that request submitted as a part of the original request?

The SPEAKER. No.
Mr. BLANTON. Mr. Speaker, if the gentleman would make that request with respect to all the amendments except the proposed salary increase amendment, I would not object.

Mr. DICKINSON of Iowa. That is just what I am doing.

Mr. BLANTON. I did not understand that.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the first 12 amendments be considered en bloc. Is there objection?

There was no objection.

The Clerk read the first 12 amendments as follows:

Senate amendment No. 1: Page 1, line 13, strike out the words "reading clerk, \$4,500" and insert in lieu thereof the words clerk, who shall perform the duties of reading clerk, \$4,500."

Senate amendment No. 2: Page 1, line 15, strike out the word "chief" and insert the word "principal."

Senate amendment No. 3: Page 1, line 17, strike out the word "principal" and insert the word "legislative."

Senate amendment No. 4: Page 5, line 12, after the figures "\$2,590" insert the words "assistant clerk, \$1,940."

Senate amendment No. 5: Page 6, line 9, after the words "in all," strike out the figures "\$368,170" and insert the figures "\$370,110." Senate amendment No. 6: Page 6, line 21, after the figures "\$106,-400," strike out the words "in all, \$601,300" and insert in licu

thereof the words "messenger, \$1,520; in all, \$602,820."

Senate amendment No. 7: Page 9, line 7, strike out the figures "\$1,800" and insert in lieu thereof the figures "\$2,000."

Senate amendment No. 8: Page 22, strike out all of lines 1 and 2, and line 3 through the word "Representatives," and insert in lieu thereof the words "1924, \$45,000, of which \$25,000 shall be disbursed by the Secretary of the Senate and \$20,000 by the Clerk of the House of Representatives."

Senate amendment No. 9: Page 23, after line 18, insert a new line, as follows: "For surgical treatment of trees on the Capitol Grounds, \$5,000."

Senate amendment No. 10: Page 24, after line 2, insert as a new paragraph the following:

For extension and changing of electric wiring of the attic floor to provide necessary electric lighting for the storage rooms, \$1,000; for concrete floor for the attic story, \$15,750; for new revolving door for ground floor, southwest corner, Senate Office Building, \$1,750; in all,

Senate amendment No. 11: Page 27, line 12, after the figures \$745,000," insert the words "and authority is hereby given to enter into a contract or contracts or otherwise incur obligations not in excess of this sum."

Senate amendment No. 12: Page 31, line 19, strike out the figures \$106,498" and insert in lieu thereof the figures "\$104,398."

Mr. DICKINSON of Iowa. Mr. Speaker, these 12 amendments are mostly changes on the part of the Senate employees. It involves the guard question, which is the Stengle amendment, and I want to say to the gentleman from New York that the and I want to say to the gentleman from New York that the salary is retained at \$1,200 and the number is fixed at the number now employed in the Library. I understand that that is satisfactory to the gentleman from New York.

The next amendment of importance is the authorization for contract liability in the Library. Only \$345,000 is appropriated in the bill, but it gives them contract authority for the entire amount of \$745,000. The House conferees see no objection to any of these amendments. Does the gentleman from Colorado

wish any change in these amendments?

Mr. TAYLOR of Colorado. They are satisfactory to the

minority members.

Mr. DICKINSON of Iowa. Mr. Speaker, I ask for a vote. The question was taken, and the first 12 amendments were agreed to.

The Clerk read as follows:

Page 39, after line 9, insert:

"SEC. 4. That section 4 of the legislative, excutive, and judicial appropriation act, approved February 26, 1907, as amended, is amended to read as follows:

That on and after March 4, 1925, the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of the executive departments who are members of the President's Cabinet shall be at the rate of \$15,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico, and Resident Commissioners from the Philippine Islands shall be at the rate of \$10,000 per annum each."

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House concur in the Senate amendment, and I yield five minutes to the gentleman from Illinois [Mr. Madden].

The SPEAKER. We are considering this in the House as in Committee of the Whole.

Mr. MADDEN. Mr. Speaker, I ask for recognition.
The SPEAKER. The gentleman from Illinois is recognized for five minutes

Mr. MADDEN. Mr. Speaker, the question of whether a man can afford, as a Member of Congress, to work for \$7,500 a year is one for him personally to decide. It is not a question of whether he has money enough out of which he can con-tribute to any loss that may accrue as the result of his services. It is a question of what the service is worth, and whether the Members of Congress are entitled to the same sort of treatment in the matter of pay as other people who may be em-

ployed by the Government.

Since 1907—when our last increase in pay went into effect—there has been added to the annual pay roll by giving further increases in pay to all branches of the Government, \$350,-000,000. Included in this sum is the amount in the new postal pay bill which the House approved. That is the charge now, \$350,000,000 more per annum than it was in 1907. Take, for instance, the \$160,000,000 to the men engaged in the Postal Service. The clerks in that service and supervisory officials have had their pay increased 104 per cent.

Mr. HUDSON. Exclusive of the \$68,000,000 in the pending

Mr. MADDEN. Exclusive of the percentage increase under the \$68,000,000 provided in the pending bill, the Army officer's pay has been increased, the naval officer's pay has been increased, and everyone, everywhere, has had an increase in

Nobody denies that every man who serves in Congress, if his service is long enough, if he depends on the income, will leave Congress a fit subject for the poorhouse. [Applause.] Now, if a man has an income out of which he can contribute to prevent his going to the poorhouse when he finishes his term, the question is, Ought he to be required by the American people to do it?

Mr. BUTLER. He ought to go before he comes. [Laughter.] Mr. MADDEN. Yes; he ought to go before he comes. I will leave the question, as chairman of the Appropriations Committee, to the judgment of every man here. It is an individual question. Every man will have to act on his own responsibility. He can tell best whether he can afford to serve his country for less than it costs him. I am sure that the American people are not desirous of securing anybody's services for less than it actually costs him to live

Now, every man here knows that in addition to having to live on his pay he must defray his election expenses. Sometimes this is as much as he gets, and sometimes more. I do not undertake to say as to that. What I do undertake to say not undertake to say as to that. What I do undertake to say is that although I do not need this increase of compensation, and I do not want it, I do think that I ought not to stand here as a stumbling block in the way of the membership of the House on the right to determine that question for them-

selves. [Applause,1

Mr. BYRNS of Tennessee. Mr. Speaker, this is a matter which affects the individual membership of the House, and as the gentleman from Illinois has just said, each Member understands his own situation, and, of course, will act upon his own individual responsibility. But I can not permit this amendment to be considered without entering a very earnest I have consistently, ever since I have been protest against it. a Member of the House, and a member of the Committee on Appropriations, opposed every unnecessary expenditure, and I do not regard this as either a proper or necessary expendi-

I think that we should think of the people back home, those whose taxes make it possible to run this Government, and I do not believe that at this time when the people are being taxed both by the National Government and in their States and municipalities more than ever before in the history of the country Congress ought to add to that burden by the increase of their own salaries.

Another fundamental objection to the adoption of this amendment is that it proposes to increase the salaries for the next Congress, Members to which were elected last November

and a Congress to which most of us were reelected.

It is, as I view it, a direct and specific violation of the spirit of rule 8, section 1, which provides that Members shall not be required to vote upon bills or measures in which they have a pecuniary interest. Section 369 of Jefferson's Manual lays it down as a principle that a Member shall not vote on a matter involving his private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary

Mr. TUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Very briefly.
Mr. TUCKER. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am not going to have a chance to express that

fact, and I want to express it now.

Mr. BYRNS of Tennessee. It is subject to an amendment, but I do not know whether an amendment would be adopted or not, but I do wish to say, gentlemen, I am opposed to increasing the salaries even for the Seventieth Congress at this time. I would prefer that Members should return home, discuss the matter with their people and get their views, and then during the next session consider the question. What I am contending for here to-day is that we ought not to pass this amendment which increases our salaries for the term to which we have been elected. We knew what the salaries were going to be. We sought the office, and the people elected us with the understanding that our salaries were to remain during the term for which we were elected at the amount it was then and we should not increase them merely because we hold the purse strings and have it within our power. While it is embarrassing for me to stand here and take this position upon matters which affect the individual interests of every Member of this House, I could not in justice to myself, in

justice to my past record on the question of appropriations, fall to express my views and make this protest against the passage of this amendment. I hope that it will not prevail.

[Applause.]

Mr. SNYDER. Mr. Speaker and gentlemen of the House, as you all know I am leaving the service of this House on the 4th of next March. I have served here 10 years and, in the main, the membership of this House has given the country, during that period, in my judgment, earnest, careful, and efficient service. It can not be said that less than 75 per cent of the membership of this House live here in the city of Washington with less conveniences and comforts than they do at home, and it can not be said by at least less than 75 per cent of the men that they can live here in reasonable comfort and with the reasonable conveniences which they have at home, upon the salaries that they now receive. But I want to say in leaving this House, which I will soon do and go back to be a normal taxpayer, that I believe the taxpayers of this country will be more than satisfied if you men, without regard to the opposition that is raised, at this time and for the next Congress increase your salaries to \$10,000 a year. There is, whether right or wrong, a sentiment throughout the country that something has happened which has deteriorated the efficiency of the membership of this House. Certainly an increase to \$10,000 a year from the \$7,500 now received will not have a tendency to lower further the quality of the men who come here. There is no question but what there are many men who desire to come to Congress and who are able men who are earning more than the salaries received here, who do not feel they are able to give up the services fhey are rendering at home to come to Congress, live, and pay their election expenses upon the amount received. Now, in conclusion I want to say that in my country it is believed that the Congress not having had any increase in salary since before the war, and everyone else in the Government service having had an increase in salary except the Congress, they are en-titled to it, and I hope that these men who are here who realize that they are worth the money the Government is paying them, will have the moral courage to vote for the thing you are entitled to, and, therefore, I am glad, going out as I am, to have the privilege of standing up here to-day and doing the thing I believe is right, in advocating and voting for this increase. [Applause.]

Mr. CRISP. Mr. Speaker and gentlemen of the House, I am aware that what I am about to do will not be popular with my colleagues, and I sincerely regret it, for I covet the good will and friendship of each Member of this House, and I entertain for all feelings of affection; but the only guide for any Representative is to vote and speak as his judgment and conscience dictate. I shall always pursue that course. I never

question my colleagues' votes.

I can not vote for the Senate amendment to increase my own salary to \$10,000, and I think it would be a serious mistake for the amendment to be adopted. In my judgment, a serious public policy is involved in it, to wit, the voting by legislators out of the Treasury increased compensation to themselves. When I became a candidate for Congress, in the November election, I did so with the knowledge that the salary was \$7,500 per year. I have been elected for two years. If I vote to increase the salary, I will be voting to myself, if Providence spares me to live out my term of office, \$5,000, and this I can not do. Let me call your attention to one of the rules of the House which we ourselves adopted, rule 8, which reads as follows: "Every Member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question." Every Member of this House who is reelected to the Sixty-ninth Congress has a direct pecuniary interest in this amendment. Certainly no one can complain if a Member votes against his own interest, which I shall do. If this amendment proposed to increase the salary of Representatives, to take effect at some future date, the beneficiaries of the amendment to be elected after the salary had been raised, it would present a different proposition. I believe a Representative who faithfully performs his duty is entitled to compensa-tion commensurate with the service rendered, and there may be merit in the amendment to increase the pay to \$10,000, but it should not, in my judgment, be enacted as is here pro-posed—to railroad the bill through the House without serious debate or opportunity to amend it and without a roll call. My colleagues, the public will not approve of legislating in this way, and we subject ourselves to serious criticism. I can not conscientiously consent to it. If our salaries are inadequate, the proper legislating committee should report a bill providing for an increase and it should be given due and orderly consideration under the general rules of the House.

Some of my colleagues may say I am insincere in my attitude and that, if the amendment is adopted, I will draw the increased salary. Of course I will, for if the law is changed and makes the salary \$10,000, I shall accept the compensation that other Congressmen draw, but what I am urging you to do is not to agree to the amendment but to let the salary remain as it was when the Sixty-ninth Congress was elected.

There is a great demand throughout the country for economy in Government expenditures so that taxes may be reduced. am in perfect sympathy with this demand, and I believe it the paramount duty of Congress not to add to the expenses of Government. This amendment will increase expenditures a million and a half dollars a year. This increase will be borne by the people of the United States. Let me earnestly counsel you not to make the mistake of agreeing to the Senate amendment. Undoubtedly, the wise course for us to pursue is to leave our salaries as they were when we were elected.

I know the personnel of this Congress and that no finer body of men, as a whole, can be gathered together anywhere in the world. In character, industry, ability, and mental attainments, they compare favorably with any like number of men that could be assembled together, drawn from the professional, com-mercial, and industrial world; but, notwithstanding this, Congress does not enjoy the confidence of the people that it is entitled to. We have been misjudged and often willfully and maliciously misrepresented and held up unjustly to public contumely; and, my friends, if this salary increase is enacted this action will have a tendency to accentuate the into law. hostile attitude of the public.

No one realizes better than I the financial difficulties that beset Congressmen without private means, for I have practically no income save my salary. I am frank to say I do not see how Members of this House with large families can support them without financial embarrassment and the strictest economy; but, be that as it may, we all knew the salary attached to the office when we became candidates for it. I appeal to you to defeat the Senate amendment. It will redound to our credit if we do so.

Mr. McREYNOLDS. Mr. Speaker, will the gentleman yield? Mr. CRISP. Yes; I yield to the gentleman from Tennessee.

Mr. McREYNOLDS. I am opposed to this measure, and I am going to vote against it. When we were elected last November, we knew the salary, and I feel that we have no right to cry sacrifice now. Does not the gentleman feel that if any raise is to be made that it should be after two years, when our terms expire?

Mr. CRISP. Yes; I have fully expressed my views. Mr. WRIGHT. Mr. Speaker, will my colleague yield?

Yes.

Mr. WRIGHT. If the proposed amendment were so framed that it becomes effective on March 4, 1927, this would be a different proposition?

Mr. CRISP. Certainly; very different. Mr. WRIGHT. I want to say that I concur fully with the gentleman's remarks. I am opposed to this salary increase and shall vote against it.

Mr. MILLS. Mr. Speaker and gentlemen of the House, it seems to me that there is only one question here to be decided, and that is, What is adequate compensation for a Member of Congress? Certainly there are no better judges as to what is adequate and proper compensation than the Members themselves. It is, of course, regrettable and it is obviously a source of embarrassment to all of us that those of us who are Members of the next Congress have a personal interest at stake. But it is nevertheless our duty, in spite of that embarrassment, to make this decision in as impersonal a manner as possible. Now it seems to me that there is one class of men that we do not want to see as Members of Congress; that is, men to whom a salary of \$7,500 is an inducement. [Applause.] And it seems to me that it would be undesirable if Congress were composed exclusively of a group of men whose personal fortunes made the matter of salary a matter of total indifference to them [applause], because they would obviously represent too limited a class for a truly representative body. [Applause.] The kind of Congress that we want to see is a Congress composed of that great class of men for whom the salary, while necessary, is not a consideration; of men who are willing to come here at some personal sacrifice, in order to render service, and because a position of honor appeals to them; and we should fix our salary at the point where the sacrifice will not be too great and that class of men will come to Congress.

If you fix it at \$7,500 it is my absolute judgment, and it must be known beyond question to many of you that you are fixing it at a point where it is totally inadequate from the standpoint of that class of men. [Applause.] The professional and business man when he comes here--and he has to come here for a number of terms in order to be really effective—loses all business connections. That in itself is a great sacrifice. In addition, in order to remain here he must make a campaign every two years, and if his district is at all doubtful that is an expensive proposition.

In the third place, he has to come and live in the city of Washington, where the cost of living is high, and where it is infinitely higher than it was when the salary of \$7,500 was originally fixed. He ought not to be asked to do it. He will not do it. The successful man who is earning \$15,000 or \$20,000 or \$25,000 a year will come here if you will allow him a salary to enable him to maintain something like the standard his family is accustomed to, and \$10,000 will do that. He will not come here and live according to a standard that he is not accustomed to, sacrifice his business future, and put away the chance of laying aside a sum to take care of the vicissitudes of old age, if the United States Government can not meet him half way and pay a salary commensurate with the work and responsibilities assumed and the sacrifices entailed.

Gentleman talk of economy, and frankly I frequently disagree with gentlemen on the other side of the House who insist on what I consider the worst kind of economy, the economy which consists in getting the second and third best at bargain rates. The proper economy in business is to pay salaries that will enlist the most competent service. [Applause.

There is nothing that has offended my knowledge and experience more than the argument, which I have repeatedly heard on this floor, in favor of paying miserable, picayune salaries to second-rate men, instead of the United States Government paying adequate salaries and getting the best men and not forcing them to remain in private life. [Applause.] What we want in Congress are men above the average; men that are coming to the front in their communities. We can get them for much less than private enterprise, but we can not afford to push this advantage too far. To-day we are losing our good men. We shall lose more, and unless something is done the time may not be distant when we shall be getting \$5,000 men for our \$7,500.

Mr. BLACK of Texas. Mr. Speaker, I offer an amendment. The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BLACK moves to concur in Senate amendment No. 13 with an amendment: On line 13 strike out the figures "1925" and insert the figures "1927."

Mr. BLACK of Texas. Mr. Speaker, the House of Representatives being a representative body, I do not believe that we should pass any measure which we may not reasonably expect the people to approve. I believe that is a sound rule of legislation to follow. In the first place, under the circumstances, and considering the present financial condition of the country and the general complaints at the overhead expenses of Government, I do not believe that the people will approve the passage of this salary increase; and I am certain that if Congress does concur in this amendment it ought to adopt my amendment to postpone its effective date until March 4,

Mr. RANKIN. Mr. Speaker, will the gentleman yield?
Mr. BLACK of Texas. I yield.
Mr. RANKIN. I agree with the gentleman from Texas, that the Senate amendment providing for these salary increases ought not to be adopted. This is a day of declining prices, and is no time for such legislation. Besides, every Member knew what these salaries were before the election, and did not protest then. But does not the gentleman think it would be better just to strike out the Senate amendment or refuse to concur and leave this matter as it now stands? course, I would rather see the amendment of the gentleman from Texas adopted than to see the House concur in the Senate amendment, but I am of the opinion that we ought to just defeat, or refuse to concur in the Senate amendment and

leave the law as it is.

Mr. BLACK of Texas. Well, I will say to the gentleman from Mississippi that I intend to vote against the whole proposition to concur, just as he intends to do. But we can not strike out the Senate amendment. Parliamentary procedure would not permit us to do that. We either have to vote

the motion up or down to concur in the amendment. The Congress that has already been elected for the Sixty-ninth Congress was not elected upon any issue of increase of salary and I dare say it was not discussed in any of the States; and therefore, if adopted at all, the Senate amendment ought not to be made effective until the 4th of March, 1927.

Mr. BARKLEY. Will the gentleman yield? Mr. BLACK of Texas. Yes; I yield to the gentleman from

Mr. BARKLEY. Without regard to the merits of the pro-posed increase, how does the principle laid down by the gentleman, that the Members of this incoming Congress ought not to vote to increase their salaries, affect the Senate, which is a continuing body, and two-thirds of which will be in office at the beginning of the next session?

Mr. BLACK of Texas. I do not undertake to speak for the

Senate, and I want to say to the gentleman—
Mr. BARKLEY. But if the gentleman's principle is correct,

it should not take effect for six years.

Mr. BLACK of Texas. I am not undertaking to impugn or question the motives of any gentleman who votes upon this proposition, but I do say that if it is to become a law it should not become effective until March 4, 1927. The Sixty-ninth Congress has already been elected, and those of us who will be Members of it will assume office March 4, 1925, and I contend we should make no effort to increase our salaries until the people have opportunity to pass upon it in some way.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BLACK of Texas. Yes; I yield to my friend from Vir-

ginia.

Mr. MOORH of Virginia. In view of the arguments which have been made here, does not the gentleman think that if we are to take this step we should take it entirely in the open

and have a roll call upon the proposition?

Mr. BLACK of Texas. I agree absolutely with the gentleman from Virginia. In the first place, we ought not to take up the matter as a rider on an appropriation bill. It is the legislative policy of the House, the asserted policy of the House, that we will not take up legislation as riders on appropriation bills. That is a wise policy as many precedents which could be cited will prove. If Congress is to make this exception in its own favor, then Members of the House ought to be willing to go on record and place our vote in the Congres-BIONAL RECORD. We should not subject ourselves to the criti-

cism that we in any way dodged the issue.

Mr. BLANTON. Will the gentleman yield?

Mr. BLACK of Texas. Yes. I yield to my colleague from

Mr. BLANTON. The gentleman spoke of the Senate. The press of Washington reported that Senator Sheppard was the only Senator who voted against this salary raise when the Senate passed it the other night. Had two or three Senators made a determined fight against it they could have stopped it, for when a Senator once gets the floor he can hold it as long as his physical endurance lasts. May I ask my distinguished colleague this question, whether it is not a fact, this being new legislation on an appropriation bill, that if any Senator had made a point of order against it he could have knocked

Mr. BLACK of Texas. That is my understanding of the rules of the Senate.

Mr. CELLER. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. CELLER. I just want to state to the gentleman that he was wrong when he said this question did not enter into any campaign. I introduced a bill providing for an increase in the Members' salaries last year and that was used in my campaign.

Mr. BLACK of Texas. I dare say it was an issue in very few campaigns. I stand corrected as to the gentleman's own

In my own campaign for reelection from the first congressional district of Texas I pledged my constituents to make a consistent fight for economy in public expenditures. I feel that to vote myself an increase in salary would be a violation of that pledge, both in letter and in spirit. Therefore I will vote against the salary increase and will demand a record

Mr. TILSON. Mr. Speaker and gentlemen of the House, if it is right to pass an amendment increasing the salary of Members of Congress at all, it is right to pass it now. [Applause.] There is no good reason why the men who are here to-day, who have the courage of their convictions to stand up and say that they believe the compensation of Members of Congress

should be \$10,000, should be deprived of it for the next two years. When will it be more sorely needed than now? It is something that must be done by this body if done at all. No

other agency of our Government has the power to do it.

The question as I see it is: What, in the long run, is going to be best for our country? This is what we as the representatives of the people of the country should consider. Is it going to be best for the country as the years come and go that we should continue paying grossly inadequate salaries to the Members of Congress? What effect is it going to have upon the character and quality of the Congress? The gentleman from New York [Mr. Mills] has indicated what, in his judgment, would be the effect. The inevitable tendency must be that men to whom \$7,500 is an inducement will come here in increasing numbers along with a number of rich men to whom the salary is a matter of trifling importance. We should then have Congress made up principally of these two classes, and they would be the only ones who could afford to stay here long enough to rise to positions of power and influence in Congress. Do we wish this situation brought about? In my judgment, every year that we postpone a reasonable increase in the salary of Members of Congress we are doing our country an injury, an injury that will grow in its effects as the years go by. cite but a single example of irreparable loss that this body suffered on account of the inadequate salary. It is for purpose of illustration only. Numerous other cases will suggest themselves to the older Members of the House. In the retirement of John J. Fitzgerald, of New York, from this House for financial reasons the country lost an invaluable public servant; one who was worth fully \$1,000,000 a year to this country. [Applause.]
Considered from the standpoint of expense, what does this

increase mean? The additional cost will be a little over \$1,000,000 a year. Let us figure it out. We may safely assume that the service rendered by a more adequately paid body will be in some degree a better service. What will this better service cost the people of the United States? Just about 1 cent apiece per year for each citizen of this country? [Applause.]

Let us for just a moment consider what it costs to live now and then compare it with the time when the present salary was fixed. I am one of those Members who must live and support a family on the salary of a Member of Congress. I perhaps have about the average family, so that without impropriety I may take my own case as typical. I have a wife and three dependent children, so that I know what it means to try to live and maintain a family on such a salary. I live at a congressional hotel which charges reasonable prices. My entire salary would not pay my hotel bill alone if I brought my family here and lived as becomes a Representative of the people family here and lived as becomes a Representative of the people in the Congress of the United States. [Applause.] My case is individual, but I doubt not that, as stated, it represents substantially the facts in the case of a number of others. What happens as a necessary consequence? We leave our families at home. Gentlemen, we are entitled to have our families here to home. If the leave of the latter was and live with us. [Applause.] We should be better men and better legislators by having here the gentle and helpful influences of our families. We should not be denied the privilege of having them by reason of an admittedly inadequate compensation for our services. [Applause.]

Just a word in regard to the cost of living as compared with the time when the present salary was fixed. When the salary now paid was fixed, in 1907, the Bureau of Labor's price index on the 1913 basis was 93, while in January, 1925, the price index on the same basis was 100. In other words, it costs now, on the average, almost double for everything we have to buy

what it cost in 1907. Applying these official price-index figures to the present salary we find that \$7,500 in 1907 would purchase as much of the necessities of life as can now be purchased for \$12,900. other words, the salary would need to be increased to \$12,900 in order to live as well now as in 1907, when the present salary was fixed. Turning the figures around and applying them in another way we find that \$7,500 will be required to purchase what \$4,350 would purchase in 1907. Meanwhile the average period of actual service in Washington, with its additional expense, has increased from about 10 months in 2 years to about 18 or 20 months in 2 years, so that it has become practically impossible to carry on any business whatever at home.

Summing up this phase of the matter, it is not overstating the facts to say that the work of a Member of Congress and the necessary expense of maintaining the position have fully doubled, while the purchasing power of the salary has shrunk about one-half. Is it not about time that we face the facts and meet the situation like honest, courageous men?

The SPEAKER. The time of the gentleman from Connecti-

cut has expired.

Mr. McSWAIN. Mr. Speaker, I am opposed to any salary increase at this time, and am opposed to the manner in which this vote is now about to be forced, and I entirely agree with the manly expression of noble sentiments just uttered by the gentleman from Georgia [Mr. Crisp]. I know something of the expense of living in Washington with a family, modestly though it be. I am the man who threatened four years ago to stretch my tent on the Capitol grounds to escape the excessive and unreasonable hotel charges then proposed to be exacted during inaugural week. But, Mr. Speaker, we can not escape from the fact that the Constitution has made us judges of the salary that shall be paid ourselves, and I think that we ought to resolve the doubt against ourselves because we are in a delicate responsibility. I can not overlook the fact, and the country will not overlook the fact, that we have established rules of this House whereby bills concerning all matters, including salaries, must first be introduced and referred to the appropriate committee, and after consideration by the committee be reported to the House and the House act on it line by line and word by word. That is the way we have been considering the bill for the raise of the salaries for postal employees for the last four years. They will think it strange that the Members of Congress, knowing the technical parliamentary rules, have worked those rules to escape all this long, tedious preliminary public discussion, and here to-day, like a bolt of thunder from a clear sky, are about to vote upon this Senate amendment to increase the salaries of Senators and Representatives

I believe this amendment could never have originated in the House, because some of us who are opposed to this way of raising salaries, would have made the point of order under our rules, and the Chair would have sustained it, and the proposed salary increase would have gone out. We can not escape from the fact that this increase has never been considered by a committee of either the Senate or the House. I am not very familiar with the Senate rules, but I do not see how this amendment could ever have passed that body except by unanimous consent. I now declare that it shall not pass this body by unanimous consent, because I am not only opposed to it and opposed to the manner of bringing it up, but I propose to rise and demand that a record roll call shall be taken, and I hope that there will be enough Members in this House to agree with me to constitute the necessary one-fifth required by the

The \$7,500 now received, supplemented by the revenues from some property that I have, enables me to live decently and pay my life-insurance premiums and taxes. If a bill were introduced in the regular way and were properly considered with a provision that it should not become operative until 1927 so that one election may intervene, then there would be a very different question before this body. But we should not permit ourselves, being judges in our own cause and knowing the parliamentary game, to raise the salaries of Members already elected to Congress. Mr. Speaker, that was the reason why, when the bonus bill was under consideration, I explained to the House that I was pledged to vote for the bonus, but because I come within its provision I have failed and refused to file an application for any benefit under that law. I served my Government in war at \$2,400 per year and since the war at \$7,500, and I propose to keep the record straight, and I shall never vote for any measure and be the recipient of any benefits thereunder. The gentleman from Connecticut [Mr. Tilson], who has just made a speech in favor of the amendment, says the question is, "What is best for our country in the long run?" And I think that is the test. But there is no need in view of the long future that we believe awaits our country for this haste in raising congressional salaries. Therefore, I must oppose with every means in my power this increase at this time and in this way.

Mr. JOHNSON of Kentucky. Mr. Speaker-

Mr. LONGWORTH. Will the gentleman yield a moment?

Mr JOHNSON of Kentucky. Yes,
Mr. LONGWORTH Mr Speaker, I ask unanimous consent
that all Members may have five legislative days within which to extend their remarks in the Record on this subject.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, reserving the right to object, I think one ought to have an opportunity to express his views before he votes on this question. I shall not vote in this way to increase our salaries. There is no time now to discuss the merits of the proposition, but I wish time to register my opposition to the manner in which it has been prepared and brought before us. The method of presenting it in the Senate and now in the House is, in my judgment, unusual and improper and not in accordance with orderly procedure. Without opportunity to speak of the merits of the

proposition a Member should at least be given a chance to say that he opposes this way of doing business, to express his opposition before he votes and not simply be permitted to insert something in the RECORD after the matter has been disposed of. The question of increase of salaries could have been considered at the session of the Congress last June when it could have been brought up in a regular, orderly, becoming way. It is presented now in anything but an orderly becoming way, if in fact its presentation and hasty consideration is not in violation of the rules. If I had any intention of voting an increase of our salaries, I certainly would not so vote at this time or in this kind of proceeding.

Mr. BUTLER. Mr. Speaker, there are many of us in the same position

The SPEAKER Is there objection?

Mr. McLAUGHLIN of Michigan. I object, Mr. Speaker.
Mr. JOHNSON of Kentucky. Mr. Speaker, I think too many gentlemen have pitched the discussion of this matter upon the question as to whether or not a Member of Congress can live on \$7,500 a year. I think that is a false premise. Anybody with the average family can live on \$7,500 under some circumstances, but he can not live on that under all circumstances. I can recite in my own service here that several times while I was down at my home in Kentucky, I have paid more than \$1,000 to hold an empty house that I might be able to come back here and find a place to live. That is but one of several items that has to be considered.

I was present on the floor of this House in 1907 when the salary was increased from \$5,000 to \$7,500. I saw timid men then hesitate about raising their own salaries, but I venture the opinion that not one of them heard a word of complaint about it when he got back to his constituents. I never heard the question mentioned in my own district after the salary was raised, and I predict now that the intelligent people of the United States in nobody's district will ever raise the question that \$10,000 is too much. [Applause.]

But I do not wish to discuss the question as to whether or not a man can live on \$7,500 a year. The question is, Are the services of the proper man here worth more than that much money? If you will go among my neighbors down at home, those who are intimate with my affairs, they will tell you that when I came to Congress I was making more than three times this salary. Then some may ask me why I came to Congress? I did not come here to make money. I came out of ambition that I might be reckoned during my own life and during the lives of my children as one of the prominent men of great State. [Applause.]

Henry Clay, actuated by ambition and patriotism, came from Kentucky, came to the American Congress for \$5 a day. James B. McCreary, from my own State, came to Congress worth half a million dollars. After long years here he made an After long years here he made an nair a minon dollars. After long years here he made an enviable reputation for integrity, service, and patriotism, but went home penniless and to-day lies in an unmarked grave. He did not come here for the salary. He came for the cause of his country and the ambition of himself and the pride of his children. If my constituents should say that I am not worth \$10,000 a year here, then my answer to them is, Send somebody. who is. [Applause.]

Ben Hardin, in his day the foremost lawyer south of the Ohio River, rode 800 miles horseback across the country to Washington, to achieve his ambition and serve his country. Charles A. Wickliffe, another of my predecessors in this

Chamber, did likewise.

John Ronan, another townsman of mine, but who preceded me nearly 100 years, all but lost his life in swimming his horse across a swollen stream while coming to Washington to serve his country.

Proctor Knott, another predecessor of mine, the greatest constitutional lawyer of his day, sacrificed a fortune to come to Congress

Judge William Lindsay and John G. Carlisle quit wonderfully lucrative practices at the bar in Kentucky to come to Congress at the call of ambition and patriotism.

Each and every one of these and others whom I could name retired to private life broken in health and in fortune.

Their failure financially has deterred others in making the political venture because their children need bread.

Every man worth a continental wishes to excel-to outstrip his fellow man in the race for honors. Many such are here to-day. Why starve them into retirement to be replaced by others less competent and wholly lacking experience?

There are but two classes of men in this Union to-day who can afford to come to the United States Congress. One class is made up of those who are earning virtually nothing at home, and the other class is made up of men rich enough to

come here and serve for but little or no compensation.

The question is, Are gentlemen here to-day too timid to vote for a proposition for which, down in their hearts, they favor? [Applause.] I imagine that this increase is going to pass; and when it has passed and the salary is available, there will be a foot race among some of those who are oppos-ing it to get to the Treasury first to get their money. [Applause.1

If there be any who may say that my services here have not been worth more to the country than \$7,500 a year, I would remind them that John W. Yerkes, an eminent Kentucky lawyer, many times said that I, as chairman of the Committee on the District of Columbia, beat him out of a hundred thousand-dollar fee when I was largely instrumental in saving about \$3,000,000 which his client, the B. & O. Railroad, was about to take from the Treasury. Again, I would answer, that through my efforts \$2,600,000, wrongfully withheld by the District of Columbia, at last found its way into the Federal Treasury.

I see before me the faces of many Members through whose individual efforts millions have been saved.

If they, even if I, had been paid as lawyers are paid, the annual compensation would not be \$7,500—but perhaps ten or twenty times as much.

Every two years duty to family drives some of our best men

out of this Chamber.

The congressional salary should be sufficiently large to permit them to remain. It should be large enough to induce the very best men to come to Congress.

The SPEAKER. The time of the gentleman from Kentucky

has expired.

Mr. DICKINSON of Iowa. Mr. Speaker, I move the previous question on the motion and all amendments thereto.

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Texas [Mr. Black].

Mr. CANNON. Mr. Speaker, I desire to present a point of

order.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Mr. Speaker, I make the point of order
that under Rule VIII no Member of the House who is a Member elect of the Sixty-ninth Congress is entitled to vote on this proposition, and that it is the duty of the House and the function of the Speaker to enforce that rule.

The rule provides that Members shall be excused from voting on any question in the event of which they have a direct personal or pecuniary interest. It is one of the oldest rules of the House, adopted in 1789 at the first session of the First Congress, and that particular clause has remained unaltered through every revision of the rules down to the present Con-

Its application to the pending question can not be questioned. Every Member elect of the Sixty-ninth Congress voting on this measure is voting on the question of increasing the amount of his salary for the next two years. The interest is neither contingent nor speculative. It is not intangible or indefinite. It is a direct, personal, pecuniary interest of exactly \$5,000. This long-established and salutary rule undoubtedly applies, and if the precedents of the House are to be followed, will preclude any Member whose credentials are now on file with the Clerk of the House as a Member elect of the Sixty-ninth Congress from voting either on the amendment or on the final passage of the bill.

The SPEAKER. The Chair thinks that provision of the Constitution is in conflict with the other provision of the Constitution which says that the House shall fix its own salaries,

and the Chair is of opinion that the universal practice has been to hold it in order. The Chair overrules the point of order.

Mr. BACON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays. Thirty-five gentlemen have arisen, not a

sufficient number.

Mr. BLANTON. I demand a division,
The SPEAKER. The gentleman from Texas demands a

The House divided, and there were 62 ayes and 278 noes. So the amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Iowa, that the House recede and concur in the Senate amendment.

the yeas and nays will rise. [After counting.] Sixty-one Members have arisen, not a sufficient number.

Mr. BLANTON. I ask for the other side.

The SPEAKER. There is not a sufficient number according to the count which the Chair has just made.

Mr. BLACK of Texas. Mr. Speaker, I demand a division. The House divided; and there were 237 ayes and 93 noes.

So the motion of Mr. Dickinson of Iowa to concur in the

Senate amendment was agreed to.

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to reconsider the vote by which the motion was agreed to and lay that motion on the table.

The SPEAKER. The gentleman from Iowa asks unanimous consent to reconsider the vote by which the motion was agreed to and lay that motion on the table. Is there objection?

Mr. BLANTON. I object. Mr. DICKINSON of Iowa. Mr. Speaker, I move to reconsider the vote by which the motion was agreed to and lay that motion on the table.

The question was taken; and on a division (demanded by Mr. Blanton), there were 229 ayes and 49 noes

So the motion to reconsider was laid on the table.

SALARY INCREASES TO MEMBERS OF CONGRESS

Mr. LONGWORTH. Mr. Speaker, I renew my request that Members have five legislative days in which to extend their remarks in the RECORD on this amendment.

The SPEAKER. The gentleman from Ohio asks unanimous consent that Members have five legislative days to extend their remarks in the RECORD on this bill. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I agree with the gentlemen who have previously spoken on the measure that the question of salary increase for Members of Congress is one that each individual must settle according to his own conscience and his conception of the merits of the proposition. For my part I am opposed to the increase at the present time. The present is a time for continued economy in governmental expenditures, and we can not divorce ourselves from the fact that in this increase of over \$1,000,000 we, as Members of Congress, will be the beneficiaries.

Secondly, Members of the present House, who were reelected last November, were candidates for the positions anxious to secure the support of the voters with the distinct knowledge that the salary had been fixed by previous law at \$7,500 yearly. So far as I know, no candidate made it a part of his appeal to the people to increase the salary. We who were elected, were not only willing to serve at the salary designated by the law, but our opponents would have gladly taken our places at the same pay.

So far as I am aware, a position in Congress has never been forced upon a man. We are here voluntarily and anxious to

However justified an increase may be in the future, that I made a distinct engagement with the Federal Government through my constituency to serve during the Sixty-ninth Congress at a stipulated price and should not, at this time, ask for a change in the conditions under which I was elected. I am therefore opposed to the amendment whereby the salaries

of Members of Congress are increased.

Mr. WILLIAMSON. Mr. Speaker, I can not give my assent to the rider tacked onto the legislative appropriation bill by the Senate whereby it is proposed to increase the salaries of Members of Congress from \$7,500 to \$10,000 annually. It is true that most of us enjoyed a larger income before we came here than \$7,500 a year and that our expenses here are greatly in excess of what they are in the districts we represent, notwith-standing the fact that few of us have either as commodious or comfortable living quarters as we enjoy in our home States.

To those of the character and ability required to perform the right kind of services here even \$10,000 annually would not be adequate compensation if money alone were to be considered. There is another factor which enters in which should not be overlooked and that is the opportunity for public In the main our compensation must come from that satisfaction which comes to every man because of services well and unselfishly rendered to his fellowmen. not appeal to us as a measure of compensation, I concede that many of us can not afford to stay here at our present salaries.

Mr. BLANTON. On that I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. All those in favor of taking the question by

either rich so that they can draw upon resources from their private fortunes or those incapable of earning anything at home. I do not believe that the gentleman is willing to state that this body is made up of that kind of men at the present time nor that it has been made up of that kind at any time in the past. It is certainly fair to presume that the people will continue to elect men equally well qualified in the future. If this is done the average of services rendered by the people's representatives will continue to be high.

I admit that one has to live modestly to stay within his congressional salary, but it can be done if his campaign expenses are kept within due bounds. If his services here are of such character as to entitle him to the approval of his constituents he should not be required to expend large sums in

his campaigns for reelection.

With the hard conditions which have prevailed within our own State during the last few years and the continued refusal of our own people to increase the salaries of our State officials

I do not feel justified in supporting the Senate amendment.

Mr. FROTHINGHAM. Mr. Speaker, I was glad to be assured by the gentleman from Iowa in charge of this bill in answer to my question that this proposition to increase salaries is not coming to a vote without some opportunity for those against it to voice their objections.

I only regret that the time was not long enough for all who wished to get recognition, and I desire to put these few words on record as my reasons for opposing the proposition now

before the House.

The objections to voting to increase one's own salary seem to me fundamental even if permitted by the rules of this House.

It seems to me the arguments presented here by the gentleman from Tennessee go to the root of the whole matter. Let us remember, too, that this proposition was attached to an appropriation bill in the Senate and never has had a hearing before any committee of this House. Let us realize that we are not only voting to raise the salary for those of us who are to be Members during the next Congress but that we leave here March 4, when that Congress begins, and do not expect to return to Washington for more than a few months of the

Mr. JONES. Mr. Chairman, we are to vote on the question of increasing our own salaries. Those who have charge of the measure have determined that the debate thereon shall be

I am opposed to the increase for three reasons, all of which

I consider good and sufficient.

In the first place, there is a demand, a righteous demand, for economy throughout the country, and a desire to have the expenses of the Government reduced. I think, therefore, that no salary should be increased except in cases of absolute necessity.

Again, while the present salary is not a large one, it carries with it a position of honor and distinction, which offers great

opportunities for service.

The number of Members of the House is too large. It should be reduced to not more than 300 instead of 435 as at present. Until the number of Members is reduced, there should be no increase in salary.

For these reasons I shall vote against the proposed increase. and shall join in a request for an aye and no vote on the I regard the entire proposal as untimely.

Mr. LOZIER. Mr. Speaker, since I entered Congress I have consistently voted on every occasion for measures that would, in my opinion, promote economy in the expenditure of public funds. By my voice and vote I have urged radical retrenchment in governmental expenses, and that unless this Nation made a sincere and honest effort to practice economy, we should quit preaching economy.

We get nowhere by talking economy unless we coin our professions into acts of real economy. As an abstract or conerete proposition, there is much argument in favor of raising the salaries of Senators and Representatives, in view of the excessive, unreasonable, and extortionate cost of living in Washington, but under present conditions I do not favor the Senate amendment to this legislative appropriation bill which increases the salaries of Senators and Representatives in Con-Until this Nation has recovered from the effects of the World War; until our industrial, commercial, and agricultural classes have been economically rehabilitated; until the farmers of the Nation are relieved of the economic handicap under which they have labored for years, Members of the House and Senate should not, in my opinion, act on any proposal for the increase of their salaries. We can not consistently advocate a reduction of expenses in other departments of our Government if we vote this increase in the expenses of

the legislative department.

I believe the last increase in the salaries of Senators and Representatives was in 1907, since which time the sost of living has increased tremendously, probably doubled, and relatively a salary of \$10,000 now will not go as far as a \$7,500 salary in 1907. I concede that salaries of all other Government officers and employees have been tremendously increased since 1907, and comparatively speaking, the salaries of Members of Congress are lower than the salaries of any other officers of the Government. But while this is true, I still think we should not vote this increase.

If the salaries of other officers and employees of the Government have been increased unreasonably, that does not justify us in increasing our salaries at a time when the Nation, in order to get rid of its war indebtedness, should rigidly adhere to a policy of retrenchment and economy in governmental expenses. If Congress has gone too far in raising the salaries of other officers and employees of the Government, we do not get back on the right track by voting ourselves an increase of salaries, which under my view of present-day conditions,

should not be done.

I realize that there is force in the argument that the present salary of Senators and Representatives in Congress is too low to attract the best talent in our Nation, and as a result, very frequently the ablest men in a district or State earn so much more in private or professional life that they can not afford to enter the Senate or House. In this way the public may be losing the benefit of the services of many of its ablest men. But I think for the present the safe and sane policy is not to incur this add tional expense. I think the Congress should be willing to go along and be satisfied with the present salary until economic conditions among all classes will justify such an increase. If Congress refuses this increase in salaries, it will be practicing real economy, and will thereby translate our professions into actual and sincere practice of economy. For the reasons stated, I shall vote against this salary increase.

Mr. BOX. Mr. Speaker, for several days it has been known to Members of the House that it is proposed to increase the salaries of Members of the House of Representatives and of the Senate from \$7,500 to \$10,000 per annum, and to increase the salaries of Cabinet members, the Speaker of the House; and the President of the Senate from \$12,000 to \$15,000 per

The proposition had already been added to an appropriation bill by the Senate. It was known among Members here for some days beforehand that this was contemplated, and that it was planned to avoid making a record of individual votes on the proposition. Foreseeing that the proposition would be handled so as to limit debate, I, on yesterday, obtained leave to extend my remarks in the Record so that I might briefly discuss this objectionable amendment.

This morning, when it was certain that the item was coming up. I sought for time within which to discuss the amendment on the floor but failed to obtain it. When this amendment had been discussed very briefly, and when comparatively few Members had had an opportunity to discuss it, the gentleman in charge of the bill on the Republican side was recognized by the Speaker and moved the previous question, which motion was adopted. This had the effect of closing the very brief

debate on the subject.

I therefore take advantage of this, my only available method of stating my position in opposition to this proposal to in-crease my own salary and that of other Members and other

officials to the extent named.

The salary paid to Members of Congress, while not as large as it looks to those who are not acquainted with the absurdly high cost of living here, in my judgment should not be increased as proposed. We are continually talking of reducing Government expenses and yet go on increasing them. and has been true of appropriations for the executive departments and other branches of governmental activity. Now, we are proposing to increase our own salaries, those of Senators, and the others mentioned to the total annual extent of approximately \$1,365,000.

I have uniformly opposed and voted against the propositions involving increased Government expenses and consequently an increase in taxation. I propose to apply to myself and my colleagues the same rule which I have applied to the beneficiaries of other appropriations. I believe that this increase

is not justified.

It is peculiarly unfortunate that we are voting an increase of salary beginning March 4 next, which will inure to the personal benefit of every Member of the present Congress who has been reelected, as I have, to the Sixty-ninth Congress, to the

extent of \$2,500 per annum. In passing on this issue between us and the taxpayers we are the judges between ourselves and them. We should be very sure that we are right before doing it, and that our personal interest is not influencing us to do what is unjustified. This action is in itself unwarranted, and the fact that we are beneficiaries of the action aggravates the evil of it. In judging a question between ourselves and the people of America, we had better make a mistake against our-

selves than to wrong them.

I consulted with other gentlemen of the Texas delegation who hold the same views which I entertain. Hon. Eugene Black, my senior in service here, with my knowledge and with the support of myself and several Texas colleagues, offered an amendment proposing to make this increase effective March 4, 1927, so that we would not be so certainly and immediately the interested beneficiaries of our own action. If he had succeeded in getting that amendment adopted, which he did not, I still would have opposed the proposition, because I am opposed to the increase; but if the increase is to be made, I would much prefer to see it become effective two years hence than now, for then I would know that neither I nor other Members would receive the increase for a two-year term to which we have already been elected.

More unfortunate still was the proposal to cut off the debate

More unfortunate still was the proposal to cut off the debate and to avoid making a record vote on the question. If gentlemen believe that this increase ought to be made under these circumstances, they ought to be willing to vote it and let the country know what they are doing. I have voted against the proposition and have done what I could in conference with colleagues in opposition to it, and have made every effort to get

a bona fide record of the vote on the question.

I was one of those who supported the demand for the ayes and noes, as most of my colleagues know. In an action involving a question between us and the American people concealment is the last thing desirable on the part of the American Congress. I sincerely regret that a sufficient number of my colleagues did not support the demand for the ayes and noes to enable each Member of the House to vote according to his judgment, have his vote known, and meet whatever responsibility resulted.

Mr. LaGUARDIA. Mr. Speaker, I voted for the legislative

salary increase.

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the House, on yesterday, anticipating that there would to-day come before the House the amendment of the Senate increasing the compensation of Senators and Representatives, effective March 4, 1925, and having no assurance that I could secure opportunity to express my views in debate to-day in opposition to the amendment, I secured consent to extend my remarks in the Record. Accordingly I avail myself of this opportunity to say that I am opposed to the Senate amendment increasing the salaries of Senators and Representatives.

I am in favor of the amendment of the gentleman from Texas [Mr. Black] making the provision effective March 4, 1927, instead of March 4, 1925. If that amendment is adopted the House will not be placed in the attitude of voting for an increase for the Sixty-ninth Congress to which Members have already been elected. The increase would not become effective until after the next election. However, even in the event that the Black amendment is adopted I shall then vote against the increase as amended, since I am opposed to the increase in any

form.

This is a measure upon which the House should act by a roll-call vote and not simply by a rising vote. For that reason I shall vote for a roll call. We should in a case affecting our own salaries leave the Record clear as to where we stand and how we get

Gentlemen will find that if their action is criticized more criticism will be leveled at the failure to have a roll call than

will be directed at the measure itself,

Mr. DICKINSON of Missouri. Mr. Speaker, the increase of salaries of Members of the House of Representatives and of the Senate from \$7,500 to \$10,000, and of Cabinet members, Speaker of the House of Representatives, and President of the Senate from \$12,000 to \$15,000 per annum passed the Senate with little opposition. It came to the House as an amendment by the Senate on the legislative appropriations bill, and on motion made to concur in said amendment, it was agreed to by a vote of 229 ayes and 93 noes. I deem it proper to present in the Record my position relative to this increase. When it came up for passage, I voted in favor of a roll call, so that each Member could better evidence his attitude toward this increase by a record vote. I joined in the demand for a roll call and record vote, and then voted against the increase. I was opposed to voting an increase of my own salary in the next Congress.

I felt I would better represent the views of the people of my district on this subject by voting against said increase. I did not believe the depressed conditions in the agricultural district, that I am trying to represent, would justify my voting for this increase and I opposed it, thus representing my own position

and the supposed attitude of my constituents.

I am friendly to some changes affecting congressional service. I favor and believe it would be helpful to the country and to Congress to elect Representatives for terms of four years rather than for short terms of two years, taking their seats now 13 months after election. With this change Members would be able to give more of their time to legislation and less toward seeking reelection, and thus save the enormous expense of biennial elections, the cost of which is as large as the annual increase in salaries provided in this bill just passed. I favor also a change in the law requiring Congress to meet in January after election in November without waiting 13 months before consideration of the matters in the public mind and discussed prior to election, and not wait for new issues to be injected by great influences while the voice of the people is forgotten. These changes by constitutional amendments would benefit the general public and be helpful to Representatives in Congress without any increase in salary, and in this connection I express the hope that the Norris joint resolution for a constitutional amendment requiring Congress to meet in January after the November elections, that has already passed the Senate, may be taken up and passed by the House of Representatives before adjournment of Congress. Such a joint resolution I introduced at the beginning of this term of Congress. This change is essential, if popular government is to live and be effective in the future.

Mr. TAYLOR of Tennessee. Mr. Speaker and gentlemen of the House, I think it regrettable that ample time was not permitted for every Member of the House to express himself as to the merits of this measure to increase the salaries of Members of Congress. I am glad, however, that general permission has been granted to the Members of the House to extend their remarks in the Record on this subject, and I desire to avail myself of this privilege by simply inserting in the Record a statement issued by me immediately after the action of the Senate and two days before the measure came up for consideration by our body. I gave out this statement to make my views known because I apprehended that I might not have an opportunity to explain myself on the floor of the

House, My statement was as follows:

"Regardless of the merits of the proposition as to whether they are rightfully entitled to an increase of salary," said Representative TAYLOR, "I do not agree with the action of the United States Senate Monday night in increasing the salaries of Members of Congress from \$7,500 to \$10,000 a year, effective July 1, next. If it is proper and just to increase the salaries of the officials, the increase certainly should not become effective until the terms of office to which they have been elected shall have expired. To do otherwise would neither be fair to the people nor fair to those who entertain congressional aspirations.

"We contracted with the people to serve them for \$7,500 a year and now, simply because we happen to have temporary charge of the people's purse strings, to increase our salaries without the consent of the people can not be justified in good morals. The fact that we happen to be serving the public does not make us different from any other employee, and what employee would think for a moment of raising his own salary without the consent of his employer, simply because he may happen to have control of the treasury? What other employee could do such a thing? The principle of the proposition is wrong, and should not, and in my judgment will not, prevail."

Mr. BUSBY. Mr. Speaker, because of the very limited time allotted for debate on the item in the conference report proposing to raise the salaries of Senators and Representatives from \$7,500 to \$10,000 it was impossible for many of us to secure time in which to present our positions. Since my own salary is directly affected by the vote on this question I am going to avail myself of the opportunity afforded and extend some remarks on the question. I have not had a suggestion from my district concerning this question. However, since I came to Congress I have consistently voted my best judgment to conserve public funds and to economize in expenditures, while keeping in mind the proper service our Government should render to the people. Keeping in mind these principles now I can not see the necessity of my supporting this proposed increase of salary, and I shall therefore vote against it.

Mr. CLAGUE. This amendment, in the form of a rider, increasing the salaries of Members of Congress should not have been attached to this bill. It is a cowardly and unlegislative method of trying to secure an increase of salary without giving a chance to discuss the measure on its merits. I am opposed to

the increase at this time. We are pledged to a policy of economy and were elected knowing that our salaries were to be \$7,500, and it is not fair to our constituents to vote an increase at this time. Ample time should have been given by the House for a full discussion on the amendment for this increase. I could not secure recognition at the time the matter came up in the House to state my opposition to this increase. In fairness to all the people of the United States a record vote should have been allowed on this important measure.

Mr. GUYER. Mr. Speaker, I have two reasons for not voting for the pending measure increasing salaries at this time:

First, because it violates an implied pledge to my constituency, I, with all Republicans, having made a campaign upon the issue of economy.

Second, because it will increase the cost of Government, with

the consequent increase of the burden of taxation.

Dismissing for the moment the first reason, permit me to call

attention briefly to the record:

The increase in cost of Government, Federal, State, and municipal, has shamed the prophecy of the pessimist. At the present time the cost of our Federal Government for one year exceeds the entire cost of Government from 1790 to 1861. increases in the cost of State and municipal governments have been likewise prodigious,

At the inception of the Republic in 1789 we had a foreign and domestic debt amounting to \$54,000,000 and State debts amounting to \$25,000,000, an aggregate of about \$80,000,000. When Alexander Hamilton proposed that the Government assume and pay that debt it appalled the boldest. In that age

\$80,000,000 was a stupendous sum.

On the theory that no nation is any stronger than its public credit, the Secretary of the Treasury insisted upon the assumption and payment of this debt, and it was done, and the financial integrity and credit of the Republic was established. At that time the wealth of the Nation was not much more than \$2,000,000,000. To-day we spend more money in the operation of the Government in one year than the entire wealth of the thirteen colonies in 1776. Decade after decade we have increased the cost of Government until the stupendous amount staggers the imagination as well as the taxpayer. of the Civil War was about three and a quarter billion dollars. We are spending practically that amount every year in current expenses in time of peace. At a time, too, when agriculture has not yet recovered from the shock of war, and industry, shattered and disorganized by the war and the sudden advent of peace, must bear the great burden of taxation,

No doubt, as a general proposition, the Government is economically administered; but considering the needs of agriculture and industry, it is no time to add to their burdens by such increases of salaries. These increases may be just, and there is no doubt that men are here at a sacrifice from their business and their homes, but that is the test of patriotic

service.

I do not know how it is in other States, but in my State (Kansas) there have ever been those who are willing to sacrifice themselves on the altar of a legislative office of this great Government. I have no reason to believe that there may be a dearth of those in the future ready to immolate themselves on the altar of their country at the present salaries.

If it is contended that higher salaries will bring greater abil-

ity to this forum of legislation, with due respect to the Members of both branches of the National Legislature, I ask that we contrast the present with a quarter of a century ago, before the last increase of salaries, and determine whether we have gained in that respect. Comparisons are odious, but I am sure we can not claim a great advance over the days of Reed and Crisp, John Sharp Williams and Nelson Dingley. Men do not come here for the matter of salaries. Our party went down to defeat a third of a century ago under the odium of a "billion-dollar Congress," in spite of Speaker Reed's rejoinder that "this is a billion-dollar country." That appropriation was for two years. Now we find it necessary to more than double that for one year. I maintain that this is not an appropriate time for the proposed salary increase of over \$1,000,000 per year for salaries of Members of Congress, and I warn my party against this reversion of policy since the campaign of November last.

We have need of public buildings over the country-not porkbarrel demands, but real needs dictated by public economy and efficiency. We have wisely postponed this program, but we can not longer delay without a loss in efficiency. This building program will necessitate the spending of millions. Is this, I This building ask, the time to vote an increase in our own salaries?

There is a just demand for an increase of pensions for Spanish War veterans and for the soldiers of the Civil War and their widows. These demands should be granted, which neces-

sarily will mean a further burden of taxation.

We have provided a just increase in the salaries of postal employees with its consequent burden, and in the end the people pay the bills whether in direct or indirect taxes, or in postal rates. I do not believe this is the time to add to that burden.

Permit me to recur to my first objection to this measure: Because it violates an implied pledge of economy made in the

campaign.

The cardinal issue in the campaign of 1924 was economy. President Coolidge received his enormous majority by reason of his consistent and courageous stand for economy in the face of threatened defeat. The Republican majority in the Sixty-ninth Congress was secured because the President gal-vanized a campaign into vitality with a living issue, which might otherwise have been a humiliating and defensive apology for alleged corruption ending in inevitable defeat. That issue was economy backed by a record never excelled for courageous consistency. Consistency in this not only is a jewel but a consistency. Consistency in this not only is a jewel necessity if we are to maintain our political self-respect.

The only pledge that I made to my constituency was to support the President upon this issue of economy, and it would seem to me that by making that campaign for economy and then voting for this amendment I would stultify myself, not only in the opinion of my constituency, but in my own sense of self-respect. Is this Congress going to match the courage of our Executive, or let the fervor of last November's "economy and more economy" be chilled by the vote of February?

Mr. SPROUL of Kansas. Mr. Speaker, in the eastern part of our country where the population is much congested, and where the cost of living is high, and where higher salaries are paid State and municipal officers, and where higher wages are paid industrial workers, the reasons for better salaries for Members of Congress are quite apparent. On account of the alleged inadequacy of the salaries of Congressmen many strong and able Members, including both business and professional men, are withdrawing from Congress and returning to private life, thereby depriving the country of their valuable services; yet notwithstanding the conditions herein referred to there are, in my judgment, very good reasons why the matter of raising the salaries of Cabinet officers, Members of Congress, and others might very appropriately be deferred until some more suitable time in the future. The agricultural section of our country in the mid-West has suffered a great depression generally since the late war, and while in some sections of the country, for the present, conditions are improved, yet not sufficiently so in my judgment to warrant such a raise in the salaries of Members of Congress as is provided in House bill 12101. Such a raise in salaries, in my judgment, is not in harmony and accord with the economy and retrenchment policy of our President. For these reasons I have opposed the raising of the salaries of the members of the Cabinet and Congressmen as provided in said bill, H. R. 12101.

Mr. BRIGGS. Mr. Speaker, although Members of the House know that I voted against the passage of the Senate proposal contained in its amendment to the legislative appropriation bill for increase in the salaries of Members of Congress and other officials, and that I also voted against the previous question, cutting off debate, and was one of those who stood up and sought to have a roll-call vote upon such Senate amendment, I also desire to have the official RECORD of this House reflect my opposition to the salary increase proposal and to say that I do not think that the House should indorse the action of the Senate. Certainly every Member of the House, irrespective of his views, was entitled to be heard upon the question and ample time for debate should have been accorded; but this was denied by the action taken in moving and adopt-

the previous question.

The House should also have insisted upon a record vote, so that all those who favored and those who opposed the Senate proposal for salary increase might have been readily apparent to all. This I think the House ought to have insisted upon both in justice to itself and as due the people of the whole country, who, in a matter of such a personal character, are especially entitled to know how their respective Representatives voted. The salary increase proposal is unwise, untimely, and ill-advised, and should not be adopted.

Mr. BARBOUR. Mr. Speaker, I voted for the amendment to the legislative appropriation bill increasing the salaries of

Cabinet officers, Senators, and Representatives.

Mr. TUCKER. Mr. Speaker, I find myself totally unable to support the pending measure, which has for its object the in-crease of the salaries of Members of Congress. That Congress

alone is the only power that can increase the salaries of its Members is clearly indicated in the Constitution of the United States. If this were not true, the original per dlem of \$6 during the sessions of Congress would now be in existence. To my mind, the question is not whether the salary is adequate or not, for we accepted the office with the present salary. The question is not whether we can support our families on the present salary. To my mind, it is alone a matter of procedure. If the benefited parties have the power, and they alone the power, to increase their salaries, even if the increase be right and proper, it should be done in the open, with every opportunity to discuss it, and not be pushed through without a roll call and without the opportunity of every Member to have it known by his people how he voted on the measure. My own views on this subject are so perfectly reflected by one whose honored name I bear that I shall content myself with inserting the remarks of Judge Henry St. George Tucker, of Virginia, on the subject of increasing the "compensation of Members in the Fourteenth Congress, first session, Friday, March 8, 1816, as follows:

Mr. Tucker said that as the yeas and nays were called on the passage of the bill, he felt it his duty to state in a few words the reasons which induced him to vote against it in committee and would lead him to adhere to that vote. He did so because he did not wish to shrink from a candid expression of his opinion. He believed, with many others, that the pay of Members of Congress ought to be such as to enable not the rich only but men of merit, however moderate their circumstances, to take a seat in this House. It was the true republican principle, for otherwise the Government would degenerate into an aristocracy. But though such were his opinions on this subject, without deciding whether a per diem allowance or annual compensation were preferable, he could not vote for any bill which gave additional compensation to himself. He had been elected under the expectation of receiving \$6 per day for his services; he could not think himself justified in increasing it. Gentlemen had termed this a squeamish delicacy. He had from his childhood been taught on all occasions of this kind that it was safest to err on the side of delicacy. He should therefore vote in the negative, though he would have had no objection to an increase of the allowance to Members if its operation were postponed to a future Congress.

It is of interest to his descendants to know that Judge Tucker would never take or receive the increase in his salary, but that it has remained in the Treasury of the United States to his credit for 108 years.

Mr. HUDSON. Mr. Speaker, I am convinced of the justice of the proposal before us to increase the salary of the Members of the Congress and also the members of the Cabinet. I should be glad to see a record vote on the amendment. That not being possible, I take this opportunity to put in the Record my position and state I voted "aye."

Mr. HHLL of Maryland. Mr. Speaker, I voted for the amendment to the legislative appropriation bill increasing the salaries of the Vice President, Cabinet officers, Senators, and Representatives

Mr. WILLIAMS of Michigan. When the proposal to increase the salaries of Members of Congress from \$7,500 to \$10,000 a year came up I voted for it because I believed the increase fully justified. During the consideration of the subject a proposal was made by way of amendment to have this increase go into effect March 4, 1927. I would have preferred to have this amendment carry and accordingly voted for it. We need at least \$10,000 men in Congress. It is obviously a matter for each district to decide as to whether it is sending men to Congress of that type

men to Congress of that type.

Mr. KVALE. Mr. Speaker, I voted against the amendment increasing the salaries of Cabinet officers, Senators, and Representatives. I have consistently opposed the manner in which measures carrying appropriations are rushed through the House. But even with a full and free discussion of the merits of such legislation I should have voted against it. With a denial by this Congress of practically every concession I have asked for the people I represent, a denial of simple justice to the farmers of the Northwest, I could not under any circumstances vote anything for myself out of the Treasury of the United States.

Mr. PEERY. Mr. Speaker, I conceive it to be my duty to vote against the proposed amendment increasing the salaries of Members of Congress.

A large majority of the membership now called upon to vote upon this proposition were reelected to Congress for the term beginning March 5, 1925. At the time of our election there was no proposition then under consideration looking to an increase in our salaries. We ran for office knowing that the salary incident thereto was \$7,500 per year, and now, very soon after

that election and within less than a month from the time at which the term to which we are reelected begins, the proposition comes to increase our own salaries. The proposition comes not as a clear-cut bill with only the one object in view but as a rider to the legislative appropriation bill. A vote for it in its present form is a vote involving our own personal interests without affording our constituents an opportunity to pass upon the question before it becomes effective.

The question is a matter for each individual Member to pass upon. As I view it I feel it to be my duty under all the facts and circumstances to vote against the increase.

Mr. SANDLIN. Mr. Speaker, having made it a practice of going on record on all matters proposing legislation coming before the House for action, I want to say that I voted against the amendment to the legislative appropriation bill increasing the salaries of Cabinet officers, Senators, and Representatives.

Mr. BACON. Mr. Speaker, in view of the fact that there was no record vote on the provision increasing the salaries of Members of Congress, I desire to avail myself of the permission granted Members to extend their remarks in the Recom in order to state my position on the amendment in the form of a rider to the legislative appropriation bill increasing our own salaries. This measure passed the House with merely limited debate and without a record vote. Only a few Members had an opportunity to express themselves on the subject, and considering that the efforts of a few to force a record vote were unsuccessful there was no chance for an individual Member to show his position on this provision.

With these circumstances in mind, I desire to state that I was 1 of the 61 Members who voted in favor of a roll call on the final passage of the provision in order that there should be a record vote, and I also was 1 of 93 who voted against the passage of the increase.

I make this statement because I believe that my constituents are entitled to know how I voted on this important measure. I also wish to record my opposition to the action of Congress in putting through an increase in their own salaries without being willing to go on record as to their position in the matter.

I believe, and think I can fairly state, that my vote against this increase was entirely consistent with my votes in support of a real economy program. Furthermore, I have long thought that the salaries of many Federal employees, especially those in the Customs, Immigration, and Postal Services, were inadequate, and therefore I did not feel that I could vote to increase my own salary at this time, even though I am willing to concede that present congressional salaries are probably also inadequate.

As there is no other way, I am simply taking this means of recording my vote on this proposition.

Mr. ALMON. Mr. Speaker, the Senate added an amendment to the legislative appropriation bill increasing the salaries of the Cabinet officers, the President of the Senate, and Speaker of the House from \$12,000 to \$15,000, and the Members of Congress from \$7,500 to \$10,000, and on motion to concur in this amendment no opportunity was given me to discuss the amendment or record my opposition to it. So I take the only available method of recording my vote and opposition to the amendment.

While it may be true that there is merit in the amendment on account of the extortionate and unreasonable high cost of living in the city of Washington, and while we have increased the salaries of most all of the Government officials, still in the interest of economy and tax reduction, for which there is a demand throughout the country, I do not believe that there should be any increase of salaries where it is not absolutely necessary. Our farmers and business men have not recovered from the effects of the war and while they are laboring under these handicaps and the burdens of taxation I do not feel justified in voting for this amendment. The Members of Congress who have been reelected had no right to expect that their salaries would be increased for the next two years and should be satisfied without an increase. I have consistently voted to curtail the expenses of the Government and reduce taxes wherever it could be done and for that reason I opposed and voted against this increase of salaries.

Mr. GREEN. Mr. Speaker, as I cast my vote against the Senate amendment increasing the salaries of the Members of the House, a proper respect for the views of my colleagues impels me to place in the Record my reasons for such action.

My course in this respect does not imply any criticism of the Members who saw fit to approve this measure. On the contrary, I feel that I was in a different situation from most of the Members of the House. In the first place, I have never so much as intimated publicly that I favored such a measure, although I had often said in private conversations that I con-

sidered the salary insufficient; and that, in view of all the expenses connected with the position in Congress, including the necessary election expenses, a Member having a family consisting of a wife and one or more children would not receive any more net at the end of the year than a clerk who got a \$4,000 salary without any expense connected therewith. This is something that the people back home do not realize, but which can easily be demonstrated.

If the motion of the gentleman from Texas [Mr. Black] to make the increase in salary commence in 1927 had carried I would not have been able to see any objection to the bill on its merits, for then my constituents would have had an opportunity to express their approval or disapproval, as they saw fit. But this motion failed, and I did not feel that I could consistently vote on a matter which so directly involved my own interests as the bill did when that motion was lost.

There was, besides this, another feature that compelled me to vote against the measure if I was to be at all consistent. I have repeatedly—in fact, in season and out of season—criticized the action of the Senate in putting riders containing legislative provisions on appropriation bills, and have said it was an entirely wrong method of legislating which I never would approve except as I was, in many instances, compelled to in order to secure the necessary appropriations to carry on the Government. If I voted for the measure I would expose myself to the just reproach that I was opposed to such procedure in a general way, but when my own personal interests were involved I was ready to change my course for my own benefit. I did not feel that I could do this.

Mr. CLARKE of New York. Mr. Speaker, I am convinced that the membership of the House of Representatives is too large, the pay too small. I, therefore, vote for the increase in pay and express my regret at the indirect way the measure comes before us. I feel sorry that you do not go all the way with the bill I introduced at the last session of Congress to reduce the membership and increase the pay; that would be real economy in my judgment, for it would first decrease the cost in money and decrease the overdose of laws the citizens of the United States now suffer from with the consequent breaking down of the enforcement and disrespect of law, that is the tragedy that threatens to destroy our American institutions.

I am for \$10,000 a year Congressmen and it is the fault of our citizens if they fail to get \$10,000 per year Representatives. If I had my way I would be glad to vote for a law that would fine or prevent a citizen from voting who, without reason, failed to vote. I believe one of our greatest dangers to-day is the failure of citizens to exercise their right of franchise for it enables active organized minorities to get their Representatives in Congress instead of Representatives dedicated to fair play for all and special privilege to none in a Government conceived and dedicated to equality for all.

Mr. GILBERT. Mr. Speaker, as no record vote was taken on this bill I take this opportunity to advise such as care to know how I voted and the reasons therefor. I voted against the increase because no knowledge had been brought to my constituents of such probable action. I represent an agricultural people who have not prospered during these years of Republican administration.

Mr. CHRISTOPHERSON. Mr. Speaker, while there is much force in what has been said as to the increased cost of service in Congress—that is, living expenses and necessary expenses incident to campaigns under our present political system—nevertheless I opposed the increase provided for in the amendment of the Senate.

During my servicé in Congress I have consistently voted for economy, and in view of the economic conditions throughout and especially the depression which the agricultural sections of our country have encountered. I feel that the need for economy is still with us, and the matter of increase of salaries could well be postponed until better conditions prevail. Further, the constitution of my State has a provision which prohibits the State legislature from increasing allowances of public officers for the term for which such officers were elected, and while that is not controlling in Federal affairs, it nevertheless is a pronouncement against increases during the term for which an officer has been elected. Therefore I voted first for the amendment providing that this increase should not be effective until March 4, 1927, which, if adopted, would have postponed this increase until after another election. Then on final passage I voted against the increase in salary.

Mr. WEFALD. Mr. Speaker, I believe the proposed salary increase unwise. Coming as I do from an agricultural community where the after-war deflation has wiped out fortunes, where business only pays a small dividend, and where wages and salaries are low, I did not vote for the increase.

Mr. WAINWRIGHT. Mr. Speaker, I am constrained to object to this sudden proposal to increase our compensation as Members of Congress from \$7,500 to \$10,000 a year. It is not so much what we are proposing to do as the manner of doing it, which seems to me objectionable. I am well aware of all the moving considerations, of all the strong, if not impelling, reasons that might under other circumstances justify this increase. Indeed, under other conditions I might feel justified in giving it my support. But this comes too suddenly. Through an overnight amendment, hastily attached to an appropriation bill, to my mind, is no way for us to dispose of a matter of such peculiar personal interest to each of us. It should come before us only in separate bill form, after full consideration in committee, with ample notice to those who sent us here. Somehow in thus rushing this proposal through it seems as though we said, "If it must be done 'twere well it were done quickly."

I regret to part company with so many of my colleagues who appear to favor this proposal, but must vote against it.

Mr. MORRIS. Mr. Speaker, I voted for the increase of salary and take this opportunity to supply this information, as no record vote was had upon this question.

I came to Washington 15 years ago as private secretary to Hon. J. Campbell Cantrill. Throughout these years I have been a close observer of congressional life in Washington. A Congressman who represents a great district must maintain the dignity of the position. I saw Mr. Cantrill lead a dignified but inexpensive life here and become poorer each year. During the 15 years he was here his necessary expenses exceeded his salary by more than \$30,000. I have seen able Congressmen who have devoted the best years of their life to their Government go home on railroad tickets purchased out of their last month's salary.

Such references as "salary grab" certainly can have no application to me. I was not a candidate for reelection nor will I draw one dollar of this increase. I also am aware my position, known to be the just one here, can be distorted and made unpopular at home; but knowing the situation and having no personal interest in the matter, I voted what I knew to be to the best interest of the country.

best interest of the country.

The enormous responsibility and wonderful opportunity for great service here require the best men—\$10,000 men—and if the Representative of any district is not worth \$10,000, the disstrict should find a \$10,000 man and send him here.

Mr. KNUTSON. My attention has been called to an item appearing in one of the Twin City papers to the effect that my colleague [Mr. Clague] and myself voted for the Senate amendment to the legislative appropriation bill which provided for an increase in the salaries of Senators and Representatives of \$2,500 per annum. Mr. Speaker, the truth of the matter is that neither Mr. Clague nor myself supported this measure. He and I talked the matter over before the vote was taken and we were both of the opinion that for us to vote for the adoption of the amendment at this time, when the country is calling for rigid economy, would not be proper. I realize that the salary for those who are obliged to maintain two homes, one in their district and another in Washington, is not sufficient, but I take the position that we all knew what the salary was when we became candidates for the office, and in any event the increase should not have been made effective until after the next general election, so that the voters might have had an opportunity to pass judgment upon the action taken by the House.

Mr. HULL of Tennessee. Mr. Speaker, the one test of the attitude of a Member of Congress on a bill under consideration, which can not be controverted, is his vote for or against its final passage. The only way such a vote can be recorded so as to constitute an open public record is by a call of the roll of the membership, each Member voting "yea" or "nay" on the passage of the bill. Under the rules of the House such a roll call and such a record of the yeas and nays on the passage of a bill can not be had unless one-fifth of the Members present join in demanding the same.

In considering the measure to increase the salaries of Members of the two Houses of Congress, 61 Members of the House joined in asking for a roll call and record vote as just described, or 7 short of the requisite number under the House rule. The very brief time allowed for discussion of this measure only permitted a half dozen of the 433 Members hurriedly to state how they would vote. The only recourse left those of the other more than 400 Members who were desirous of having placed on record their vote and actual attitude is to write in the Record, as I now am, a candid statement as to how they stood and voted on the salary increase measure. Without entering into a discussion of the merits of this subject, pro or con, I do feel constrained to say that it is, and from the beginning has been, my earnest and unalterable belief that this

is not the time to consider this question in any of its phases. I, therefore, voted against the passage of the salary increase provision. I joined in the demand for a roll call and record vote. I also voted for the amendment to make this legislation take effect two years hence, if passed. My judgment is that whenever Congress legislates on this subject it is better public policy that such legislation should be made to take effect in a new Congress later to be elected by the people.

In thus expressing the views and attitude I maintained at

In thus expressing the views and attitude I maintained at the time of the passage of this measure, I concede to my colleagues who voted the other way the same conscientious mo-

tives and judgment which I claim for myself.

Mr. AYRES. Mr. Speaker, after the amendment to increase the salaries of United States Senators and Members of the House, as well as Cabinet members and the Vice President, had been tacked on to the legislative appropriation bill as a rider, I knew it would have to be considered in the House. I then gave out an interview clearly stating my position on this question. I stated:

[Topeka Capital, February 19, 1925]

"If there is justification for such an increase, as contended by some," said Representative Ayres, "the present is not an opportune time. There is, or should be, a united effort for retrenchment and reduction of taxes. In any event, a measure of this kind should be presented in the open and regular way, fully considered and discussed, and not in the manner it is being engineered. I am bitterly opposed to the proposition and look forward to its defeat."

There also appeared in the Kansas City Times, of the issue of February 19, 1925, the following:

AGAINST CONGRESS PAY HIKE

STRONG ANTAGONISM IS COMING TO LIGHT IN THE HOUSE

Strong opposition is developing in the House to the movement in Congress to put through legislation in the closing days of the session increasing salaries of Senators and Representatives and Cabinet officers.

The proposal, which has been adopted by the Senate, is embodied in an amendment to an appropriation bill, and when the amendment comes to a vote an effort will be made to pass it without a roll call, thus avoiding placing Members on record.

Representative Arres of Kansas announced to-day he would vote against the salary increases. In commenting upon the amendment he said:

"If there be justification for such increases, as some Members contend, the present is not an opportune time for such legislation. There should be united effort in Congress for retrenchment in Government expenditures and reduction of taxes. In any event a proposal of this kind should be submitted in the regular way and in the open. Then it could be discussed fully. I am opposed to it, and believe it will be defeated."

It was reported to-night an effort might be made in the House tomorrow to accept the Senate amendment.

I do not intend to discuss the question of whether there should or should not be an increase in salaries. The main question is, Could the country at this time afford it? Furthermore, each and every Member of both branches of Congress knew what the salary would be in the Sixty-ninth Congress when he was seeking the votes of his people to elect him as a Member of that Congress. If not satisfied with that salary, I feel it was his duty to have said so in the campaign and then his constituents could have decided the question for him.

As I said in that interview, this question should not have been presented in this manner. It should have been brought up and presented in the usual and orderly way. It should have been presented by the proper committee, under the rules of the House, giving ample time and opportunity for each Member of Congress to have expressed his opinion and a chance to have cast his vote either for or against it, and to have had that vote made a matter of record. This was not done, and because of that fact alone, if for no other reason, I would be opposed to the amendment and do what I could to defeat it, and I feel justified in making this statement.

Along with some 50 others I stood up and voted for a roll call. It seems to me in view of the overwhelming majority for this measure the proponents should not have hesitated to have allowed a roll call, giving all a chance to be recorded. It was very evident at the time it was submitted for a vote this amendment would carry. Therefore I felt, as did 60 other Members, it would show better taste at least to amend it, making the increased salary effective in the Seventieth Congress, or in 1927, instead of the next Congress, but that amendment was overwhelmingly defeated.

was overwhelmingly defeated.

I appreciate this salary question is a matter which affects the individual Member and on him alone rests the responsi-

bility of his acts regarding it. It was a question for each individual Member of Congress to decide for himself. I am convinced that the reasons I have given were sufficient to justify me in taking the position I did in voting against this measure and I have every reason to believe this is what my constituents expected me to do under such circumstances.

Mr. KETCHAM. Mr. Speaker, I was present in the Honse during the entire proceedings in connection with the salary increase amendment and voted upon every question raised

during its consideration.

I voted against the salary increase, believing that such a vote would reflect the majority sentiment of the district I represent.

I voted for the Black amendment which would have deferred the increase, if granted, until 1927. This amendment would have met the ethical questions raised and would have fully answered the adverse criticisms concerning snap judgment and lack of consideration.

Mr. ROMJUE. Mr. Speaker, I think it is a matter for each Member of this House to decide for himself as to how and which way he should vote on this and on any and all other-legislative matters coming before this body to be voted upon. I accord to every Member the right of free exercise of his own judgment and assume the same privilege for myself.

In other words, one's own conscience and judgment should guide them and determine their course in the performance of their duty to the country, to their constituency, and to them-

selves.

It is as natural for men to differ in their opinions as it is for the sun to shine. I am not ready to impugn bad motives to a man simply because he differs with me as to our views on public questions.

I shall not welcome the day when I should think all men wrong but myself. I am sure some Members of this body vote for salary increases for Cabinet members and for Members of the Senate and House honestly and conscientiously believing they should do so.

I am opposed to and voted against this salary increase for the reason that I believe such legislation should not under all

the circumstances be enacted.

Economy should be practiced in public expenditures, and, in fact, unless more economy is practiced in both public and private expenditures throughout the United States we will make slow progress not only at reducing our indebtedness, but there will be more lack of private financial independence.

In keeping with these views I recently voted against an appropriation of \$14,000,000 to build a bridge across the Potomac River at Washington, D. C., to connect the Lincoln Memorial

with Arlington Cemetery.

The bridge no doubt would be, when built, a magnificent structure. But how are we as a Nation to get out of debt? For myself, I am satisfied we must not spend money where it can well and legitimately be avoided.

Holding these views, I cast my vote against the salary increase.

Mr. HARRISON. Mr. Speaker, without a word of criticism of the gentlemen who feel it proper to vote for the proposition to increase the salaries of the Members of Congress and of the Cabinet officers, I take the only method afforded of briefly stating my own objections to the proposition.

(1) I consider the proposition inconsistent with the pretences of the present administration. The proposition to give adjusted compensation to the soldiers who fought our battles was vetoed on the ground that patriotic service was not measurable in dollars and cents. The proposition to increase the postal salaries of some very poorly paid postal clerks was vetoed on the ground that it carried no increase of taxation to pay for the expenditure. I feel that some consideration should be given by the Members of Congress in their own case to render patriotic service without too close an analysis of pecuniary compensation. Many of the highest officers of this Government, because of duty, serve at salaries which are very meager in comparison with their earning capacity in private life, and this bill carries no increase of taxation to pay for the expenditure.

(2) I consider the time very inopportune. Many of us have just been reelected to Congress on the present salaries. I never heard of the suggestion seriously considered before the election of any increase in salaries. It was an issue whelly foreign to any question raised in the campaign. I therefore think it should be left to the next Congress to consider and pass upon the matter in the proper legislative method.

(3) I am opposed to the method adopted. As a proposition it should not have been brought before Congress as a rider on an appropriation bill without opportunity for full considera-

tion and discussion by Members of the Senate and of the

There can be no question but that the compensation of a Congressmen at the present salary imposes a sacrifice on most Members of the House, but it seems to me that this has been voluntarily assumed and should be cheerfully borne, especially in view of the widespread depression in the agricultural industry, which is the livelihood of the great body of my con-

Mr. BOWLING. Mr. Speaker, I voted for the amendment to the legislative appropriation bill increasing the sularies of

Senutors and Representatives.

Mr. GARDNER of Indiana. Mr. Speaker, the House has voted on concurring in the Senate amendments to the legislative appropriation bill. One of the amendments is to crease the salaries of the Cabinet officers, President of the Senate, Speaker of the House, Senators, and Representatives. There was no record vote taken on this amendment. I am willing for those who care to, to know how I vote on all ques-tions coming up for passage. I feel that the people are entitled to this information if they care for it, and for that reason I am making this statement. I do not care to discuss the merits of the amendment, nor do I want to criticize the vote cast by any other Member of Congress on this amendment. I have expressed myself, both publicly and privately, as being in favor of economy and against increasing the burdens of taxation. For that reason I voted against the proposed increases because I felt that it was a consistent vote with the principles I have always advocated and a vote in the interest of the people I represent.

Mr. THATCHER. Mr. Speaker, I have opposed the Senate amendment to the legislative appropriation bill which provides for an increase in the salaries of Members of the House and Senate. Roll calls being denied, I voted upon rising votes and was counted in opposition to the passage of the amendment by the House and in favor of a roll call upon such passage. Because the majority in the House in favor of the amendment was so overwhelming as to preclude a roll call and a record vote, I desire in this way formally to record my opposition to the proposed increase and to give, briefly, some reasons for my

opposition.

I have no criticism for those who have favored the increase, especially those who openly proclaimed their position. Candor and courage always command respect. I deem it unfortunate. however, that there was no roll call upon the question. The fact that record votes have been denied will, I fear, subject Congress to the charge that its Members fear to have their constituents know how they voted, and that, therefore, the increase is not a proper one. Had there been record votes, and if there-upon the proposed increase had been adopted, any criticism of the increase would have been less severe, and, in my judgment, less merited.

As an abstract proposition I fully concede the force and merit of the arguments made in favor of the proposed increase. The compensation of most of our Federal officials and employees has been substantially increased in the past few years because of the greatly increased cost of living brought about by the World War; but no increase has yet been provided for Members of Congress. Measured by every reasonable standard, I concede that the present salary of the Members is hardly an adequate one. I believe, however, that the "right thing" should be done in the "right way." In my judgment, it would be appropriate for Members of this Congress who will be Members of the Sixty-ninth Congress to vote for an increase in the compensation of Members to become effective at any future date after the expiration of the Sixty-ninth Congress; but, however much those of us who are Members of the Sixty-eighth Congress and who will be Members of the Sixty-ninth Congress may feel the need for the proposed increase, I have believed it to be unwise and inappropriate for us to vote it.

I believe that public policy opposes the action of official incumbents in providing for an increase of their own compensa-Many State constitutions contain explicit inhibitions against the increase of the compensation of any State, county, or municipal officer during his term of office. My own State— Kentucky—has in its constitution such a provision. This principle was also recognized by Congress at the very beginning of its existence when, in 1789, the House adopted a rule providing that its Members shall be excused from voting on any question in the event of which they have a direct personal or pecuniary interest. This rule has never been changed and is included in the present rules of the House. I bave always considered the policy maintained by the rule and by the indicated constitutional provisions to be wise, and, notwithstanding any personal considerations involved, I must adhere to that opinion.

Congress, I fear, will now be literally "swamped" with requests and demands for increased compensation on behalf of Federal officials. The action of to-day may render it more difficult to deny these importunities. If I vote to deny myself an increase of compensation I shall certainly feel free to oppose increases to others in all cases where I do not believe them to be justified. If the salaries of all our vast army of Federal officeholders are to be added to and multiplied, except in cases of undoubted merit, further tax reduction may be long delayed or rendered impossible, and our entire policy of governmental

economy seriously impaired.

Mr. GARBER. Mr. Speaker, the proposed amendment increases the salary of Members of Congress from \$7,500 to \$10,000 per year. It also provides that the Speaker of the House, the Vice President, and Cabinet Members shall receive

an increase from \$12,000 to \$15,000 per year.

The positions of the Members of Congress and of the Cabinet were voluntarily sought and accepted by each Member at the then-existing salaries, which created and implied agreement between the people as the employer and the member as the employee. In substance that agreement was: The rendition of certain services in consideration for the then-existing saiaries. This agreement should be carried out by the respective parties. The employer has no right to discharge the employee; neither has the employee a moral right to arbitrarily raise his salary.

Being the direct beneficiary, he is not qualified to act in an

impartial representative capacity.

Voting to increase one's own salary is like a judge sitting in his own case. The amendment offered to have the increases apply only to the Congress to be elected two years hence presented an entirely different proposition than the one now being considered. When the people selected their Representa-tives for the Sixty-ninth Congress their budget carried a salary of \$7,500 annually for each Member. Had they been informed of the increase now proposed to be made, they might have refused our employment and selected others of higher ability to represent them. The presumption is that the increased salaries would have given them the opportunity of making their selection from a higher quality of services.

Were conditions prosperous, times good, expenses cut down, and taxes reduced and the proposed increase submitted to the people with their approval and the present compensation shown to be inadequate, an increase in salary for the Congress yet to be elected might be a subject worthy of consideration. Under present conditions it is not.

I therefore shall vote against the amendment. Because the present compensation is inadequate to meet the high cost of

living is insufficient justification.

There are 6,500,000 farmers producing necessary foodstuffs who have been unable to meet their expenses during the last four years, and yet they are not asking for a price fixing bill to raise their wages, although with equal propriety and merit

they have every moral, legal, and political right to do so.

Mr. COOK. Mr. Speaker, I do not desire to discuss the
merits of the question of whether the present salaries of Members of Congress are sufficient. Should we not look beyond that? It seems to me that on account of the existing heavy burden of State and Federal taxation, the depressed condition of agriculture, and the industrial condition of other classes we should go very slow at this time in increasing salaries. that reason I shall vote against the proposition. Would it not be wiser to increase the term of the Members of the House of Representatives to four years, the same as the President, and provide that Congress should convene in January after the election instead of over a year afterwards? This increased term would indirectly increase the present salaries of Members of the House without any additional burden to the taxpayers and also enable them to render better legislative service for the people who send them here.

Mr. TAYLOR of West Virginia. Mr. Speaker, as a member of the West Virginia Legislature in 1921 I consistently voted against all salary increases asked for elective State and county officers who, in the campaign just preceding, had made a solemn contract with the people to serve them for a definite term at a stipulated pay. My contention then was that for these public servants to ask for an increase was to break faith with the people who had honored them. The country had but recently by an overwhelming majority voted to go "back to normalcy, and in view of this vote I held that salary increases were not

proper.

The fact that I am now to be the beneficiary of a salary increase if it finally becomes law does not change my attitude in the least. I am one of the 61 Members who asked that a record vote be taken, and I am one of the 93 Members who voted against increasing the salaries of Senators and Repre-

Mr. McDUFFIE. Mr. Speaker, having lived almost continuously in Washington during the past six years of my service as a Member of Congress, I have found from experience that it is most difficult, if not indeed impossible even by simple and most economical living, for a Member of Congress with a family and without an income from outside sources to live as his constituents would have him live, and occupy such a station as they are entitled to have him occupy on \$7,500 per annum. I devote practically all of my time to my official duties and have no income other than my salary. I believe this is true of a majority of the Members of the House of Representatives. In order that there may be no question as to my position on the Senate amendment increasing the salaries for Senators and Representatives from \$7,500 to \$10,000 a year, and in view of the fact that no record vote was had, I have taken advantage of the opportunity to extend my remarks to say that I voted for the amendment.

Mr. BECK. Mr. Speaker, I take this method of voicing my opposition to increasing salaries of Members of Congress this time, because the motion for the previous question cut me off from doing so on the floor of the House. I voted for the increase in salaries of postal employees because they are the most faithful and poorly paid employees in the service of the Government. I have voted for some other increases in salaries, but I shall vote for no more increases in salaries until the producers of wealth in this country are better able to stand it. I moved for a roll call on this salary increase, which was denied, and I voted against this increase itself. I am not only opposed to this increase in salary itself but am opposed to the way it was brought in as a rider on the legislative bill from the Senate. The legislative bill itself was one that had to become a law and the Senate took advantage of this to get a salary boost. I am opposed to that method of securing any kind of legislation.

Mr. ROBINSON of Iowa. Mr. Speaker, permission having been granted Members to extend their remarks and explain their vote in the RECORD on the proposed salary increase, and there being no opportunity for me to express myself at the time the vote was taken. I desire to state my position thereon.

I am opposed to the increase of salaries of Members of Congress at this time.

I do not, however, believe that a salary of \$10,000 is too large for a Member of Congress, but I do believe that this very responsible and important position fully justifies a salary of that amount. Seven thousand five hundred dollars was established as the salary about 18 years ago and has not been increased, although it is true that during that period of time there have been large increases in salaries of others in public The expenses of living and the requirements of the position have very largely increased during that time, with the result that the net salary at the present time is probably lower than that of any other position of like importance

My opposition to the proposed increase from \$7,500 to \$10,000

is based upon the following:

I do not approve the method of procedure followed. If we are to increase salaries, it should be done only after full consideration and discussion and with a record vote. The present proposal for increase comes to us from the Senate as an amendment to an appropriation bill; was passed by the Senate withont discussion and without a record vote.

The objection to voting to increase our own salaries seems to me very obvious.

The great Middle West section of our country, from which I come, is still suffering severely from depression. Agricultural conditions are not good, but are below normal. Incomes are small. It is not a time of increasing salaries, but rather a time of utmost economy, and I believe my district would prefer that Congressmen's salaries be not advanced at this time. I have consistently voted for economy in all public expenditures. I have even voted against and opposed some measures, such as the bridge bill, that I would have favored under better financial conditions.

For these reasons I voted for an amendment to the proposed increase of salary making it not effective until March 4, 1927, at which date a new Congress will have been elected and enter upon their term of office. This amendment failed to pass, and I then voted against any increase of salary, following which I voted for a record vote or roll call, so that every Member might personally record his judgment on this question.

I wish, however, very definitely to say that I have no criti-

cism, either implied or expressed, of those who voted for the increase, and in no sense do I question their motive or judgment, for I realize that the net salary of a Member of Con-

gress does not provide for him and his family the comforts that most of us enjoy at home, and that at least a part of our remuneration under present conditions must come from a sense of public service well rendered. For the reasons already stated, and others that will suggest themselves, I have felt under obligation to vote against the increased pay at the present time because of the need of economy in public expenditures, and especially because business and agricultural conditions in my home State call for rigid economy and carefulness

Mr. BROWNE of New Jersey. Mr. Speaker, "What price Congress?" is a subject about which there seems to be considerable difference of opinion. That the present compensation is inadequate can hardly be denied, and it is also true that the "wages" of Senators and Members of the House is the only pay that has not been increased in the neighborhood of a hundred per cent during the last 15 years, or since the present schedule was put into effect. That these facts are appreciated is shown by the overwhelming anonymous majority which put over this increased pay amendment in so rapid and remarkable a way. I voted for this amendment because I believe that if "the laborer is worthy of the hire" the hire should be worthy of the laborer. Many opposed this measure, though it is possible, if not probable, that this opposition would have been less had its proponents really expected to succeed. The reasons given for this opposition were partly along the lines of so-called economy and partly due to the modesty of Members who felt embarrassment in voting more pay for themselves. Such modesty in Congress is as refreshing as it is unusual. As for economy, there are those, myself included, who do not believe the mere saving of money is always an economical measure, though in this I admit we disagree with some high-perhaps the highest-officials in the service of the Nation.

To my mind, Mr. Speaker, it is true economy to pay good men good wages and demand good work, and this is true whether these men be members of the Cabinet, Members of the Congress, or postal employees. A Member of the Congress is either worth \$10,000 to the country or he is worth nothing at all. If he is worth the money the Government should pay it; if he is worth nothing his district or State should not send him. Representatives are the test of representative government.

In line with real economy would be a proposition to cut down very materially the membership in Congress and pay the survivors more; it is probable that a hundred unhampered and efficient Members could do the work better and quicker than is now the case.

May I also state, Mr. Speaker, that while I advocated the increase I deplore the manner in which this legislation was voted upon. Upon this measure and in company with a few others-mostly those who opposed the increase, however-I asked for a roll call. If the increase is just we should not be afraid to say so, though I greatly fear, if you will pardon the paraphrase, that politics makes cowards of us all. We know what we want, but we do not always want our constituents to know it, though along this line there are many who think we would get better government if all our votes were cast in camera; at least Members would then vote more often in accord with their honest convictions, and under such conditions it is quite possible that such impracticable legisla-tion as the eighteenth amendment and the Volstead Act would never have been enacted. However, this can not be discussed here, and I apologize for so "extending" my remarks. I voted for the increased pay for reasons given above and also, as a matter of courtesy to my successor, how could I do otherwise?

Mr. WINTER. Mr. Speaker, under leave to extend my remarks I simply desire to state in the Ikecore, inasmuch as the yea and nay vote was not taken, that I voted for the amendment increasing the salaries of the Vice President, Cabinet officers, Senators, and Representatives. I so voted because I considered it right and just. That was the only question. If it is right, if the increased compensations are no greater than the offices and the service rendered therein merit, then there is no adequate reason why it should not be given and given

The same objections which have been raised against this increase could with the same justifications and reasons be raised any time in the next 18 years the same as they have been raised for the last 18 years, since the date of the last increase, in 1907. Since that date the purchasing power of the old salary, \$7,500, has been reduced to less than \$3,000. A salary of \$10,000 now has no greater purchasing power than

\$5,000 had 10 years ago.

The intelligence, good judgment, and fair-mindedness of the American people, on full consideration, will approve of and indorse this action. Incidentally, I wish to add that I am in favor of reducing the number of Representatives from 435 to approximately 300, which from the money standpoint would more than offset this increase. At this session I introduced House Joint Resolution 324 to amend the Constitution so as to provide for the apportionment of the Representatives on the basis of the presidential vote cast in each State instead of the present basis of population. The joint resolution is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That clause 3, section 2, Article I, of the Constitu-

tion be amended to read as follows:

"Direct taxes shall be apportioned uniformly among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. Such enumeration shall be made every 10 years in such manner as Congress shall by law direct.

"Representatives shall be apportioned uniformly among the several States upon the completion of each decennial census according to the votes counted at the presidential election next preceding such apportionment, and each State shall have at least

one Representative."

Upon the completion of each decennial census it shall be the duty of Congress to determine the number of Representatives to which each State is entitled, based upon the votes counted therein at the presidential election next preceding such apportionment, and notify the governor thereof; whereupon the legislature may divide such State into the allotted number of congressional districts and the people shall elect one Representative for each district; and each State shall have at least one Representative.

After the adoption of such an amendment Congress can make apportionment after the first presidential election thereafter, in such manner and on such basis as would reduce the House membership to a proper number, which I consider to be from 250 to 300. The tendency would then be for the people of a State to secure as many Representatives as possible by casting as near as might be 100 per cent of the qualified votes of the State. This of itself would be of incalculable benefit to the country and its citizenship. But should the vote and the consequent representation again increase the total number of Representatives to an unwieldy number, another apportionment by Congress increasing the number of votes cast necessary for entitlement to one Representative, and thus again reducing the total number of Representatives, could be had at any time after any general election.

The proposed amendment is fair, impartial, nonpartisan, just, and beneficial to the country and its people. It shall be my duty and my privilege to reintroduce this joint resolution, providing for the submission of such an amendment to the

States, in the Sixty-ninth Congress.

Mr. RUBEY. Mr. Speaker, it had not been my intention to extend my remarks upon the provision increasing the salary of Members of Congress, but so many of my colleagues have extended their remarks that I have concluded to avail myself of the privileges given to Members to extend remarks.

I shall not enter into a lengthy discussion of the provision but shall content myself in saying that, in my opinion, this is a very inopportune time to increase salaries, and especially of increasing our own salaries. This is a time when the most rigid economy should be practiced in the administration of governmental affairs. I therefore voted against the provision to increase the salaries of Members of Congress.

Mr. OLIVER of Alabama. Mr. Speaker, no appropriation bill carrying new items, or substantial increases in items heretofore regularly appropriated for, should be allowed to pass without a record vote showing how each Member voted thereon. It is my opinion that the rules of the House should make this mandatory as to any bill increasing the pay of its Members.

mandatory as to any bill increasing the pay of its Members.

Entertaining these views, I joined with 60 other Members of the House in asking for a roll call and record vote on the Senate amendment to the legislative bill carrying increase pay for Cabinet officers and Members of the House and Senate.

Since only 61 Members—7 short of the requisite number under the House rules—joined in the request for a roll call, no record appears of how the Members voted on this amendment, and feeling that my constituency are entitled to know my position, I take this opportunity to say that I voted for the amendment.

Mr. LOWREY. Mr. Speaker, I can not vote for the amendment providing for increase of the salaries of Congressmen and Senators, and I have a very serious conviction that it ought not to pass.

Of course, I realize the truth of the contention that the salarles of many Government employees, the wages of organized labor, and the necessary cost of living have increased a hundred per cent since the present congressional salaries were fixed. Yet the situation with the agricultural classes and with many of the business people in the districts which most of us represent has grown harder all the while. Their cost of living has increased just as ours has; their tax burdens have grown heavier; and their income has increased little, if any.

These things being true, we, as their Representatives, should for the present be willing to waive our own claims and, if need be, to sacrifice our rights until a better economic balance is

restored.

The greatest strength and the only safety that any government has is a contented and loyal constituency. Just now we have perhaps the most serious situation at this point that our country has known for many years. Large numbers of our people really feel that the Federal Government is abusing rather than protecting their rights, and that officialdom in Washington is more interested in itself than in the general welfare. I think this is a mistaken impression, but all the more it behooves us to do nothing to encourage it. Certainly we can afford to make any reasonable sacrifice rather than run the risk of lending color to this impression by voting this salary increase to ourselves.

All Government officials must accept their pay largely in something besides money. Perhaps all of the men in the Cabinet, for instance, and certainly many of the men in this body, could command larger incomes by turning their energies elsewhere. Their devotion year after year to Government work indicates that they themselves place a higher value on the privilege of service than on gold. It would be folly to try to make Government salaries compete in dollars and cents with commercial salaries. And it would be wrong, because it would be a perversion of the ideal of public service. The salary of a public official ought to be sufficient, considering the demands on him, to provide for him and his family as the average American is provided for, but it ought not to be disproportionately more.

Finally, if we are to legislate on this subject, we ought to make it effective two years hence, when the raise in salary would not apply to the terms to which we have already been elected; or, better, wait until the matter can be canvassed before the people in a political campaign and the public is

given a chance to speak on the subject.

Mr. BLANTON. Mr. Speaker, this Senate amendment proposing to increase congressional salaries is a legislative matter and should come only from a legislative committee. It has no business whatever on this legislative appropriation bill. The Senate has improperly attached this proposal to this appropriation bill as a legislative rider. If such an attempt had been made in the House of Representatives, when this bill originated before us for framing and passage, the amendment would have been out of order. Had any Member then proposed to attach this salary increase as a rider to said bill, I would have made a point of order against it and kept it out of the bill.

HOUSE HELPLESS AGAINST SENATE RIDERS

But we Members of the House are helpless against Senate riders. Unfortunately our rules provide that when the Senate inserts a legislative rider upon an appropriation bill we lose our right to knock it out on a point of order, and the only way we can eliminate it is to vote it out of the bill. Hence unless we can muster a majority of the votes against this salary increase amendment placed as a rider on this apropriation bill by the Senate it will become a part of the law of the land. And it is my very best judgment that if we can muster enough votes to secure a roll call and force a record vote we can defeat the Senate amendment.

HAVE CONSISTENTLY STOOD FOR ECONOMY

My record here on this question is well known. I have fought here almost daily from the floor of this House for economy. I have fought against waste. I have fought against extravagance. I have fought against creating so many bigsalaried positions. I have fought against creating new positions. I have fought for sane retrenchment in governmental expenses. In no other ways will Congress ever reduce taxes.

MEMBERSHIP ENTIRELY TOO LABGE

You, colleagues, will remember that while we were framing this legislative appropriation bill, before we passed and sent it to the Senate, I proposed an amendment to it to reduce the membership of the House from 435 to 304 Members. My amendment would have reduced the number of Congressmen

in my own State of Texas from 18 to 13, and in exactly the same ratio and proportion it would have reduced the Congress-

men in the other States.

Counting their salaries, mileage, stationery, and clerical help, my amendment would have saved the Government \$1,572,000 annually, besides also saving the tremendous expense of furnishing these surplus 131 Congressmen with offices and furniture. And if we would eliminate 131 Members and reduce the membership from 435 to 304, we would then have an active, wide-awake, ever-present, interested, able, and efficient legisla tive body prepared to keep in close touch with and to digest and assimilate all legislation, good and bad, so voluminously brought before us. The present House with 435 Members is entirely too large and unwieldy. But a point of order was promptly made against my amendment which defeated it. We all should have been willing to take our chances of being the ones eliminated in our home States, and let the fittest survive.

AGAINST RAISING OUR OWN SALARIES

I am wholly dependent upon my salary. I have no private income. I am giving all my time to the people. I engage in no private business during recess, but continuously devote the entire time to investigation of Government bureaus and departments, and to the business correspondence of my constituents. My expenses eat up my salary each month. Such a raise as now proposed would mean more to me than possibly to any other colleague. I fully realize that all of us are sorely tempted. But I feel that I should not vote to raise my own salary. have been against the proposal at all times since I have been here. My position is well known. I will quote just a few excerpts from the press illustrating the present situation:

> [From the Washington Herald, February 18, 1925] SENATORS SHYLY AGREE TO BAISE THEIR OWN PAY

With only one objection, without debate, the Senate last night passed in 12 minutes the legislative bill for \$16,000,000 to increase salaries of Senators and Representatives to \$10,000.

The one objection was recorded by Senator Sheppard, of Texas, who voted against it, but made no attempt to debate his point.

[From the Baltimore Sun, February 19, 1925]

There was set under way in the House a movement to prevent a roll call on the Senate amendment for increased salaries. Representative BLANTON, of Texas, is demanding a roll call, but there is hope of ealling him off," and since it is required that one-fifth of the membership raise hands to force a record vote the House probably will emulate the Senate and furnish no accounting of what Member voted to add to his own compensation.

[From the New York Times, February 19, 1925]

SEEK A WAY TO PASS PAY RAISE IN HOUSE-AN EFFORT WILL BE MADE TO FORCE IT THROUGH WITHOUT A ROLL CALL

The friends of the increase will try to get the amendment passed by the House to-morrow without a roll call, as was done in the Senate. This will not be accomplished without a struggle, however, because Representative BLANTON, of Texas, Democrat, intends to do all he can to put Members on record. To make a roll call a certainty, Mr. BLANTON must rally to his support one-fifth of the Members present when he makes his demand, and to-night it is a question whether he will be able to do this. If he is successful, the amendment is likely to be defeated.

[From the Washington Herald, February 19, 1925]

PAY RAISE BILL TO GO BEFORE HOUSE TO-DAY-AND BLANTON WILL DE-MAND ROLL CALL

Representative BLANTON, of Texas, has served notice that he will demand a roll call on the salary amendment.

I shall demand that this vote be taken by the yeas and nays. If this raise is to be passed, let every man go on record and by roll-call vote register his position. I find that a number of my colleagues think just as I do upon this question. It is a problem that each of us must face and solve individually.

SIMILAR ATTEMPT IN HOUSE JANUARY, 1921

Some of my colleagues will remember that in January, 1921, an attempt similar to that executed by the Senate was made in the House to place a rider on this same appropriation bill to raise salaries, and was blocked by my point of order. Con-cerning same I quote the following from a leading Texas paper:

[From the Fort Worth Star-Telegram, page 15, January 12, 1921]

BLANTON BLOCKS SALARY INCREASE

WASHINGTON, January 12, 1921.-An effort to increase salaries of Congressmen and Senators from \$7,500 to \$10,000 was blocked in the

House Tuesday by Representative BLANTON. When the item appropriating funds for salaries was reached, Representative Cambell of Pennsylvania offered an amendment fixing salaries at \$10,000. BLAN-TON promptly made a point of order. He claimed it was general legislation, having no place on an appropriation bill. Representative Long-WORTH, in the chair, sustained it.

SHOULD AT LEAST PUT OFF RAISE UNTIL 1927

If Congress is determined on this raise, it should pass the amendment, which is to be offered by my colleague from Texas [Mr. Black] to prevent the raise from becoming effective until the Seventieth Congress in 1927. Then our people back home would have an opportunity to approve or disapprove of such action in passing on the reelection of all Members in 1926.

Mr. HILL of Washington. Mr. Speaker, I voted against the proposition to increase the salaries of Members of Congress. The basic law of my State prohibits the increase or decrease of the salary of an elected State or county officer during the term for which such an officer is elected. While this law has no legal force in respect to the salaries of Members of Congress, I think the principle is wholesome and should be adhered to.

Furthermore, I am unwilling to vote to increase my own compensation when nothing substantial is being done or is in contemplation by Congress to relieve the economic discrimina-tions against agriculture. I feel that the farmers of this country are in greater need of economic relief than are the Members of Congress.

Mr. BRAND of Georgia. Mr. Speaker, I did not vote for the amendment providing for increase of the salaries of Representatives and Senators. On the contrary, I voted against the proposition to increase our salaries.

The Speaker, in submitting the proposition to the House for vote, announced that all who were in favor of the increase in salaries will rise and remain standing until they were counted, and all who were opposed to the provision increasing their salaries will make it known by rising and remain standing until counted.

Every Member of Congress present, all persons in the gal-leries of the House, and the Washington correspondents of daily newspapers from all portions of the United States, including the State of Georgia, who were then and there in the press gallery at the time the vote upon this proposition was taken, witnessed this vote.

There was no opportunity for me to express myself at the time the vote was taken except by rising in my place and standing until counted by the Speaker when he requested Members who were opposed to the increase in their salaries to rise and remain standing until counted.

Of the total membership in the House, consisting of 445 Members, brief speeches were made by only 11 Members, 5 of whom were Republicans and 6 Democrats. These five Republicans and one Democrat spoke in favor of the amendment to increase the salaries, and the other five Democrats spoke against this amendment, there being only 30 minutes' allotted for debate upon this proposition.

Not having the opportunity to make a speech upon the subject at the time the vote was taken I have availed myself of the privilege granted Members to extend their remarks so that the people whom I have the honor to represent and all others interested may officially know that I voted against the amendment proposing an increase in the salaries of Congress-

men and Senators.

EVENING SESSION

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that to-night between 8 and 11 o'clock it shall be in order to consider bills unobjected to on the Private Calendar.

The SPEAKER. The gentleman from Ohio asks unanimous consent that to-night it be in order to consider bills unobjected to on the Private Calendar. Is there objection?

Mr. BLANTON. Reserving the right to object, I would not object to any night next week, but for the rest of this week I will object

Mr. LONGWORTH. I will say that we will probably not

have a night next week.

Mr. ALLEN. I object. Mr. BLANTON. Here is the gentleman from West Virginia who also objects

Mr. LONGWORTH. Any gentleman who wants to stop the consideration of the Private Calendar for the session can take the responsibility

Mr. BLANTON. I have been here on the floor of the House at both day and night sessions every hour that the House has

been in session since we convened the session.

Mr. LONGWORTH. The gentleman takes the responsibility of blocking the Private Calendar for this session.

I am ready to take that responsibility. Mr. BLANTON. There are many bad bills involving millions on the calendar, and we have little chance to defeat them at night sessions.

SENATE BILLS REFERRED

Under clause 2, Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. J. Res. 117. Joint resolution transferring the possession and control of the Fort Foote Military Reservation, in Prince Georges County, Md., to the Chief of Engineers of the Army, to be administered as a part of the park system of the National Capital; to the Committee on Military Affairs.

S. J. Res. 169. Joint resolution authorizing the Secretary of Agriculture to waive all requirements in respect of grazing fees for the use of national forests during the calendar year 1925;

to the Committee on Agriculture.

S. J. Res. 178. Joint resolution to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay; to the Committee on the

S. J. Res. 186. Joint resolution authorizing the sale of the old Federal building at Toledo, Ohio; to the Committee on Public Buildings and Grounds.

S. 3824. An act to provide for the appointment of a leader of the Army Band; to the Committee on Military Affairs.

S. 4107. An act to authorize the President in certain cases to

modify visé fees; to the Committee on Foreign Affairs. S. 339. An act for the relief of Harry Scott; to the Commit-

tee on Claims.

S. 449. An act for the relief of Katherine Southerland; to the Committee on Claims.

S. 1229. An act for the relief of the estate of Moses M. Bane: to the Committee on Claims.

S. 2013. An act for the relief of Immaculato Carlino, widow of Alexander Carlino; to the Committee on Claims.

S. 2253. An act for the relief of the P. Dougherty Co.; to the Committee on Claims.

S. 2294. An act to equalize the pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Committee on Mili-

tary Affairs. S. 2438. An act for the relief of Helen M. Peck; to the Committee on Claims.

S. 2454. An act to extend the benefits of the employers' liability act of September 7, 1916, to Gladys L. Brown, a former employee of the Bureau of Engraving and Printing, Washington, D. C.; to the Committee on Claims,

S. 2491. An act for the relief of August Michalchuk; to the Committee on Claims.

S. 2619. An act for the relief of John Plumlee, administrator of the estate of G. W. Plumlee, deceased; to the Committee on Claims.

S. 2780. An act for the relief of William Wooster; to the Committee on Claims.

S. 2895. An act for the relief of W. P. Dalton; to the Committee on Claims.

S. 2896. An act for the relief of Joseph B. Tanner; to the Committee on Claims.

S. 2935. An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives; to the Committee on Printing.

S. 3118. An act to authorize the Rock Creek and Potomac Parkway Commission to dispose of certain parcels of land; to the Committee on the District of Columbia.

S. 3153. An act to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum; to the Committee on the District of Columbia,

S. 3203. An act for the relief of Joseph Harkness, jr.; to the

Committee on War Claims. S. 3264. An act for the relief of Horace G. Knowles; to the

Committee on War Claims. S. 3303. An act for the relief of Frederick MacMonnies; to

the Committee on Claims. S. 3377. An act for the relief of George E. Taylor; to the

Committee on Claims. S. 3618. An act to extend the benefits of the United States employees' compensation act of September 7, 1916, to Clara

E. Nichols: to the Committee on Claims. S. 3839. An act to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes; to the

Committee on the Public Lands, S. 3850. An act for the relief of Mark J. White; to the Committee on Claims.

S. 3809. An act to create a Library of Congress Trust Fund Board, and for other purposes; to the Committee on the Library.

S. 4207. An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes; to the Com-

mittee on the District of Columbia. S. 3378. An act for the relief of Isabelle R. Damron, postmaster at Clintwood, Va.; to the Committee on Claims.

S. 3379. An act providing for the sale and disposal of public lands within the area heretofore surveyed as Boulder Lake, in the State of Wisconsin; to the Committee on the Public Lands.

S. 3510. An act for the relief of James Doherty; to the Committee on Claims.

S. 3549. An act for the relief of Roy A. Darling; to the Committee on Naval Affairs.

S. 3581. An act for the relief of Francis J. Young; to the Committee on Claims.

S. 4209. An act to authorize the building of a bridge across the Santee River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4210. An act to authorize the building of a bridge across the Congaree River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4211. An act to authorize the building of a bridge across the Catawba River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4212. An act to authorize the building of a bridge across the Broad River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4213. An act to authorize the building of a bridge across the Santee River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4214. An act to authorize the building of a bridge across the Savannah River, between South Carolina and Georgia; to the Committee on Interstate and Foreign Commerce.

S. 4217. An act granting the consent of Congress to the Susquehanna Bridge Corp. and its successors to construct a bridge across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa.; to the Committee on Interstate and Foreign Commerce.

S. 4225. An act to extend the times for commencing and completing the construction of a bridge across Detroit River within or near the city limits of Detroit, Mich.; to the Committee on Interstate and Foreign Commerce.

S. 4229. An act granting the consent of Congress to the State Highway Commission of North Carolina to construct a bridge across the Chowan River at or near the city of Edenton, N. C.; to the Committee on Interstate and Foreign Commerce.

S. 4230. An act to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American centennial; to the Committee on Coinage, Weights, and Measures.

S. 4239. An act to provide for the exchange of certain lands now owned by the United States, in the town of Newark, Del., for other lands; to the Committee on Public Buildings and Grounds.

S. 4254. An act for the relief of Ishmael J. Barnes; to the Committee on the Public Lands.

S. 4289. An act authorizing the construction of a bridge across the Colorado River near Blythe, Calif.; to the Committee on Interstate and Foreign Commerce.

S. 2441. An act for the relief of R. Clyde Bennett; to the Committee on War Claims.

S. 3118. An act to authorize the Rock Creek and Potomac Parkway Commission to dispose of certain parcels of land; to the Committee on Public Buildings and Grounds.

S. 3514. An act authorizing the Court of Claims of the United States to hear and determine the claim of H. C. Ericsson; to the Committee on Claims.

S.3613. An act to provide for retirement for disability in the Lighthouse Service; to the Committee on Interstate and Foreign Commerce.

S. 4016. An act for the relief of the Royal Holland Lloyd, a Netherland corporation, of Amsterdam, the Netherlands; to the Committee on Claims.

REGULATING THE SALE OF MILK, CREAM, AND ICE CREAM

Mr. REED of West Virginia. Mr. Speaker, I call up the conference report on the bill (S. 2803) to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes.

Sanders, N. Y.

The conference report and statement were read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (8. 2803) to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "The words 'person' or 'persons' in this act shall be taken and construed to include firms, associations, partnerships, and corporations, as well as individuals: Pro-vided further, That the health officer may accept the certifica-tion of a State or municipal health officer"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the word "twenty" insert the word "forty"; and the House agree to the same.

STUART F. REED, FLORIAN LAMPERT, THOMAS L. BLANTON, Managers on the part of the House. L. HEISLER BALL, ARTHUR CAPPER, ROYAL S. COPELAND, Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (S. 2803) submit the following statement in explanation of the

Amendment No. 1 relates to the issuance of permits, and the Senate agrees to this amendment with the restoration of certain language in the original bill.

Amendment No. 2 strikes out the words "supply of any such firm, corporation, partnership, or mutual association," in section 3, and inserts the words "cream, or ice cream supplied by any person." The Senate agrees to this amendment.

Amendment No. 3 relates to the form of rating cards, and

the House recedes from the amendment,

Amendment No. 4 strikes out the word "fifty," in line 9, page 9, and inserts the word "twenty." The conferees recommend the figure "40."

STUART F. REED, FLORIAN LAMPERT, THOMAS L. BLANTON. Managers on the part of the House.

The conference report was agreed to.

CHILD LABOR

The SPEAKER laid before the House a communication from the Governor of the State of Delaware inclosing certified copy of house joint resolution No. 2 of the house of representatives of that State relative to the proposed amendment to the Constitution concerning labor of persons under the age of 18, which failed of passage.

MIGRATORY BIRDS

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 745) for the establishment of migratory bird refuges, and so forth.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the migratory bird bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 60 yeas and 8 noes.

Mr. BLANTON. Mr. Speaker, I object to the vote and make

the point that there is no quorum present.

The doors were closed, and the Sergeant at Arms was ordered to bring in the absentees, and the Clerk called the roll.

The question was taken; and there were—yeas 274, nays 43,

not voting 114, as follows:

[Roll No. 761 YEAS-274

Ackerman Aldrich Allen Allgood Almon Arnold Aswell Ayres Bacharach Bachara Bacon Barbour Barkley Beck Beedy Beers Bixler Black, N. Y. Black, Tex. Bland Boylan Browne, N. J. Browne, Wis. Buchanan Bulwinkle Burdick Burtness Burton Busby Butler Byrns, Tenn. Cable Campbell Cannon Carter Casey Celler Chindblom Chindblom Chinastopherson Clarke, N. Y. Cleary, Cole, Iowa Cole, Ohio Collier Collins Colten Connery Connolly, Pa. Cook Cooper, Ohio Cooper, Wis. Cramton Croll
Crosser
Crowther
Cullen
Cummings
Dallinger
Darrow
Davis, Minn.
Denison
Dickinson, Iowa
Dickstein
Drewry
Driver Croll

Crisp Davis, Tenn. Abernethy Deal Dickinson, Mo. Doughton Drane Garrett, Tenn. Blanton Bowling Box Boyce Brand, Ga. Briggs Browning Canfield Connally, Tex.

Anderson Andrew Anthony Bankhead Begg Berger Boies Brand, Ohio Britten Brumm Buckley Byrnes, S. C. Carew Clark, Fla. Clark, Fla.
Corning
Curry
Dempsey
Dominick
Doyle
Evans, Iowa
Fairfield Favrot Fenn Fitzgerald Frear Fredericks Free Freeman French

Dyer Eagan Edmonds Elliott Evans, Mont. Fairchild Faust Linthicum Longworth Lowrey Lozier Lozier Shailenberg
Luce Shreve
Lyon Simmons
McClintic Sinmons
McClaughlin, Mich. Smith
McLaughlin, Mich. Smith
McLaughlin, Nebr. Smithwick
McReynolds Snell
McSwain Snyder
McSweeney Speaks
MacLafferty Sproul, Ill.
Madden Sproul, Kar
Magee, Pa. Steagall
Major, Ill. Stedman
Major, Mo. Stephens
Manlove Stevenson
Manlove Stevenson
Manlove Stevenson
Manlove Stevenson
Michener Swing
Miller, Ill. Swoope
Miller, Wash. Miller, Wash.
Miller, Wash. Miller, Wash.
Miller, Wash. Moorey, Va.
Moore, Va.
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Moore, Va.
Moore, Moore, Morrow
Murphy Nelson, Me.
Newton, Minn.
Nolan Tilson
Timberlake
Tincher
Thomas, Oh
Thompson
Tillman
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Timberlake
Timber Fish Fisher Fleetwood Foster Frothingham Frothingham Fulmer Gambrill Garber Gardner, Ind. Garrett, Tex. Gasque Geran Gibson Gifford Graham Green Griest Griffin Guyer Guyer Hadley Hall Hammer Hammer
Hardy
Harrison
Hastings
Haugen
Hawes
Hawley
Hayden
Hickey
Hill, Ala.
Hill, Md.
Holaday
Hooker
Howard, Nebr.
Hudson
Hudspeth
Hull, Tenn.
Hull, Morton D.
James Oliver, N. Y. Paige Park, Ga. Parker Patterson Peery Perkins Hull, Morton D.
James
Jeffers
Johnson, S. Dak.
Johnson, Tex.
Johnson, Wash.
Jones
Kearns
Keller
Ketcham Perkins Phillips Prall Purnell Quin Ragon Rainey Raker Ramseyer Ransley Rathbone Rayburn Kiess King Knutson Kopp Kurtz Rayburn Kvale
LaGuardia
Lampert
Lanham
Lea, Calif.
Leach
Leatherwood
Leavitt
Lineberger Reece Reed, W. Va. Reid, III. Richards Richards Robinson, Iowa Robsion, Ky. Romjue Rosenbloom Sanders, Ind. NAYS-43 Huddleston Humphreys

Kent Kincheloe Larsen, Ga. Lazaro Mansfield ter Martin
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NOT VOTING—114 Gilbert Glatfelter Goldsborough Hill, Wash. NOT VO'
Fulbright
Fuller
Funk
Gallivan
Garner, Tex.
Greenwood
Hersey
Hoch
Howard, Okla.
Hull, William E.
Hull, Iowa
Jacobstein
Johnson, Ky. McFadden McKenzie McLeod McNulty MacGregor Moore, Ill. Moore, Ohio Morin Morris Nelson Wis Morris
Nelson, Wis.
Newton, Mo.
O'Brien
O'Connor, N. Y.
O'Sullivan
Oliver, Ala.
Parks, Ark.
Peavey
Perlman
Porter
Quayle
Reed, Ark.
Reed, N. Y.
Roach
Roach, Mass. Johnson, Ky. Johnson, W. Va. Jost Kelly Kendall Kendall Kerr Kindred Kunz Langley Lankford Larson, Minn. Lee, Ga. Lehlbach Lilly Lindsay Logan Rogers, Mass. Rogers, N. H. Sabath Logan McDuffie Salmon Sandlin

Schafer Sears, Nebr. Shallenberger Shreve Simmons Sinclair Sneil Snyder Speaks Sproul, Ill. Sproul, Kans, Stalker Steagall Steaman Stenhens Stephens Stevenson Strong, Kans. Strong, Pa. Summers, Wash. Swoope
Taylor, Colo.
Taylor, Tenn.
Taylor, W. Va.
Temple
Thatcher
Thomas, Okla.
Thompson
Tillman
Tilson
Tilmer
Tincher
Tincher
Tinkham
Treadway
Underhill
Underwood
Upshaw
Vestal
Vincent, Mich.
Vinson, Ga.
Voigt
Wainwright
Wason Wainwright
Wason
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Watson
Weaver
Wefald
Weller
White, Kans.
White, Me.
Williams, Ill.
Williams, Mich.
Williams, Tex. Williamson Wilson, Ind. Wingo Winslow Winter Wood Woodruff Woodrum Morehead

Vinson, Ky. Watkins Wright Schall Schneider Scott Sears, Fla. Sears, Fia.
Seger
Sherwood
Sites
Spearing
Stengle
Sullivan Sumners, Tex. Sumners, Tex.
Sweet
Tague
Tydings
Valle
Vare
Ward, N. Y.
Ward, N. C.
Welsh
Wertz
Wilson, La.
Wilson, Miss. Wolff Wurzbach Wyant Yates Zihlman

Pou Rankin

Tucker

Rubey Sanders, Tex. Thomas, Ky.

So the motion was agreed to. The Clerk announced the following pairs:

Until further notice:

The Clerk announced the following pairs:
Until further notice:

Mr. Fitzgerald with Mr. Gallivan.
Mr. Reed of New York with Mr. Rouse.
Mr. Free with Mr. Garner of Texas.
Mr. Scott with Mr. Garner of Texas.
Mr. Scott with Mr. Garner of Texas.
Mr. Ward of New York with Mr. Kindred.
Mr. Kelly with Mr. Lindsay.
Mr. Roach with Mr. Tague.
Mr. Perlman with Mr. Jost.
Mr. Perlman with Mr. Jost.
Mr. Andrew with Mr. Kunz.
Mr. Zilman with Mr. Jost.
Mr. Fairfield with Mr. Kerr.
Mr. Britten with Mr. Johnson of West Virginia,
Mr. Frear with Mr. Rogers of New Hampshire,
Mr. Fredericks with Mr. Salmon.
Mr. William E. Hull with Mr. Fulbright.
Mr. Vincent of Michigan with Mr. Quayle.
Mr. Freeman with Mr. Dominick,
Mr. Hersey with Mr. O'Sullivan.
Mr. Fuller with Mr. Buckley.
Mr. Anderson with Mr. O'Sullivan.
Mr. Evans of Iowa with Mr. Ward of North Carolina,
Mr. Nelson of Wisconsin with Mr. McNulty.
Mr. Valle with Mr. Berger.
Mr. McFadden with Mr. Berger.
Mr. McFadden with Mr. Bankhead.
Mr. Dempsey with Mr. Berger.
Mr. Lehlbach with Mr. Bankhead.
Mr. Lehlbach with Mr. Fayrot.
Mr. Andreys with Mr. Berger.
Mr. McGradden with Mr. Sandline.
Mr. Lehlbach with Mr. Sandline.
Mr. Lehlbach with Mr. Sandline.
Mr. Hegg with Mr. Johnson of Kentucky.
Mr. Porter with Mr. Bost.
Mr. Peren with Mr. Sabath.
Mr. French with Mr. Sabath.
Mr. French with Mr. Sasath.
Mr. Rogers of Massachusetts with Mr. Spearing.
Mr. Porter with Mr. Clorning.
Mr. Berge with Mr. Parks of Arkansas.
Mr. Nevton of Missouri with Mr. Reed of Arkansas.
Mr. Nevton of Missouri with Mr. Reed of Arkansas.
Mr. Wertz with Mr. Caroning.
Mr. Morin with Mr. Parks of Florida.
Mr. Hull of Iowa with Mr. Sanglin.
Mr. Hull of Iowa with Mr. Sumners of Texas.
Mr. McLeod with Mr. Sumners of Texas.
Mr. Hull of Iowa with Mr. Sumners of Texas.
Mr. Hull of Iowa with Mr. Sumners of Texas.
Mr. Hessen in Mr. McLeo

The result of the vote was announced as above recorded. The SPEAKER pro tempore (Mr. Darrow). A quorum is

present, the Doorkeeper will open the doors.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 745, with Mr. Luce in the chair. The CHAIRMAN. The House is in Committee of the Whole

House on the state of the Union for the further consideration of the bill H. R. 745, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other

The CHAIRMAN. The Clerk will again report the pending amendment.

Mr. JONES. Mr. Chairman, I ask unanimous consent to withdraw my amendment.
The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. JONES. Mr. Chairman, I move to strike out the last word. Mr. Chairman, on page 6 of this bill there is a provision for a division of the fund which is to be collected from this license system. According to this section 9 not less than 45 per cent of this fund must be used for enforcing the migratory bird laws and only 45 per cent for the purchase and lease of refuges for the birds. I shall offer an amendment, when we reach that, to increase the amount that is to be expended for Government preserves and sanctuaries from 45 to 65 per cent and to reduce the amount that is to be used for enforcement from 45 per cent to 25 per cent. Now, gentlemen, I think that amendment, or some similar amendment, should be agreed to. According to the estimate made by the various game protective associations there are about five or six million sportsmen in the United States. If half of those pay their \$1 fee

there will be a fund of about \$3,000,000, and according to the terms of the bill 45 per cent of that fund must be paid for game wardens and for the enforcement of the provisions of the act. That will employ a great number of game wardens and that great number running around over the country might bring the entire law into disrepute.

Mr. TINCHER. Will the gentleman yield?
Mr. JONES. In a moment. Now, the bill seems scheduled to go through, and I think, as a matter of reason and common sense, 25 per cent of this fund ought to be enough to spend for enforcement. I yield to the gentleman from Kansas.

Mr. TINCHER. The gentleman does not mean to say that

fund has to be spent. It is limited to that amount.

Mr. JONES. It says "not less than 45 per cent thereof for enforcing the migratory bird treaty act, the Lacey Act," and so forth. It would be different if it said "not more than," but it says "not less than 45 per cent" of this fund shall be expended in the enforcement of these acts. Now, it ought to say "not more than," or it ought to be limited to a smaller percentage.

Mr. ANTHONY. I think the gentleman's contention is tight in regard to the "more or less" proposition.

Mr. BLANTON. Mr. Chairman—

Mr. TREADWAY. Is not the gentleman arguing a little

Mr. BLANTON. Mr. Chairman, I want to commend the gentleman from Texas for convincing the chairman in charge of this bill that the bill is improperly written and ought to be amended in a vital particular. If he can convince so distinguished a gentleman from Kansas, he might convince the other fellows who belong to this body, and since they have raised their salaries here, Mr. Chairman, they ought to be here to pass on this bill, and I make the point of order that there is no quarrant present.

Mr. JONES. I will ask the gentleman to withdraw the point of no quorum. The gentleman from Kansas says he agrees to my proposition.

Mr. BLANTON. I want the membership to hear the gentle-

Mr. TREADWAY. Mr. Chairman, the gentleman is not talking on the paragraph before the House. It is the next paragraph.

Mr. JONES. I hope the gentleman will withdraw his point.
Mr. BLANTON. Oh, yes; we want a quorum, Mr. Chairman. I am sincere in wanting a quorum.
Mr. ANTHONY. Mr. Chairman, I move a call of the House, and on that motion I ask for tellers.
The CHAIRMAN A call of the House.

The CHAIRMAN. A call of the House is not permitted in committee.

Mr. TINCHER. I move that the committee rise, and on

that I ask for tellers.

The CHAIRMAN. The gentleman from Kansas moves that

the committee rise, and on that motion he asks for tellers. Tellers were ordered.

The committee again divided; and the tellers (Mr. Haugen and Mr. Blanton) reported that there were—ayes 6, noes 101. So the motion was rejected.

The CHAIRMAN. The vote discloses the presence of a

quorum.

Mr. JONES. Mr. Chairman, I do not care to discuss the proposition further since the chairman of the committee has agreed to the principle of the amendment, so I do not care to take up the time of the House in further discussion of the

proposition. If this amendment or some similar amendment is adopted, it will materially help the bill.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto do now close.

Mr. DEAL. I object. Mr. HAUGEN. I ask unanimous consent, Mr. Chairman, that all debate on this amendment and all amendments thereto be now closed.

Mr. DEAL. I object. Mr. BLANTON. The gentleman from Virginia has objected,

Mr. Chairman.
Mr. HAUGEN. I ask unanimous consent then, Mr. Chairman, that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this amendment and all amendments close in 10 minutes. Is there objection?

There was no objection.

Mr. WHITE of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WHITE of Kansas: Page 5, line 17, after the word "abode," insert "or on any land adjoining or contiguous thereto with the owner's consent,"

Mr. WHITE of Kansas. Mr. Chairman and gentlemen of the committee, I offer this amendment because I think it is a very important one and a very proper one. We have a situation over in the Missouri Valley—you might call it the Middle We have a situation West, as we often call it now—very different from that in most of the States of the Republic. If we could have an open season continuing for 12 months we would actually have only about three or four days in the spring and fall, during the period of the migration of the birds in the spring to the North and in the fall back to the South, in which we could shoot any migratory birds.

If you will allow me, gentlemen, I wish briefly to state that over there we do not have a great amount of water naturally. That State was pretty dry even before prohibition. But we have a good many artificial ponds, reservoirs, and lakes, covering usually from an acre to 5 or 10 acres of surface. the purpose of this amendment is that a farmer's boy, standing by the wall of his father's reservoir, shooting a duck that rises up from the surface of the pond, where the birds have stopped temporarily to feed and rest, and that duck lighting across the wire fence on his neighbor's property, ought not to be considered a violator of the law, ought not to be subject to arrest.

Now, there is no conflict of disposition out there at all about this law. The few men out there and the few boys in whose blood tingles the love of sport are in favor of the law and But here is a man with a quarter section of land, and he has a little pond or reservoir, and his neighbor has a little pond or reservoir. The ducks rise and fly over the hills to the next pond. Two of those boys want to go out hunting on a morning. They want to go together with the old shotgun. They do not kill many of the birds, but they have an awful sight of fun, and it is a hundred times better for the boy to have another boy with him, whether he kills a bird or does not. There is no question about that.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Kansas. Certainly.
Mr. McKEOWN. The gentleman's idea is that he should not be required to pay for a Federal license if he has the consent of the neighbor?

Mr. WHITH of Kansas. Exactly.
Mr. McKEOWN. In some of the States you must have the

consent of the owner even if you do have a license.

Mr. WHITE of Kansas. Yes; I think that is all right. I think we ought to do that. There is a good deal of perturbation in the minds of these boys out there. They have a wholesome respect for the law, and their parents want them to obey the law. They are schoolboys, the sons of farmers in Kansas and Nebraska and Oklahoma and Colorado, and this will not affect the beneficent purposes of this bill. I think the amendment should be adopted. I think I have said enough to show you that it should be adopted, and I ask you to support it. [Applause.]

Mr. PEERY. Mr. Chairman, I offer an amendment by way of substitute to the amendment offered by the gentleman from Kansas [Mr. WHITE]. It is an amendment to the amendment. The CHAIRMAN. The Clerk will report the amendment to

the amendment.

The Clerk read as follows:

Amendment offered by Mr. Peer: Page 5, line 3, strike out the whole of section 7 on said page, and in lieu thereof insert the

"SEC. 7. That each person who at any time shall take any migratory bird, or nest or egg thereof, included in the terms of the convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, upon any area of the United States which heretofore has been or which hereafter may be acquired, set apart or reserved as a bird or game refuge or public shooting ground under this act, shall first procure a license, issued as provided by this act, and then may take any such migratory bird, or nest or egg thereof, only in accordance with regulations adopted and approved pursuant to the migratory bird treaty act (act of July 3, 1918, 40 Stat. L. p. 755); and nothing in this act shall be construed to exempt any person from complying with the laws of the several States."

Mr. PEERY. Mr. Chairman and gentlemen of the committee, the purpose of the amendment which I offer by way of amendment to the amendment of the gentleman from Kansas [Mr. WHITE] is to eliminate from this bill the requirement for a license fee to anyone except those who seek to hunt upon the area covered by the refuge.

Mr. WHITE of Kansas. Mr. Chairman, will the gentleman

yield?

Mr. PEERY. Yes. Mr. WHITE of Kansas. My attention was diverted for a moment, and I did not get the purport of the gentleman's amendment. Does it affect in any way the amendment I have offered.

Mr. PEERY. My amendment is simply this, to eliminate all license fees to any one throughout the country who wants to hunt migratory birds except those who want to hunt on the game refuges. It leaves it open so that no one will have to take out a Federal license to hunt in the State of Kansas, for example, unless he seeks to hunt on the game refuge.

Mr. WHITE of Kansas. Then it would be germane, so far

as I can see

Mr. PEERY. Mr. Chairman, I am in sympathy with the general purpose of this legislation. In order that you may appreciate my viewpoint, you will, I am sure, pardon me if I tell you that when I left home to come to the present session of Congress I left two bird dogs, one an English setter, the other a white-and-tan pointer, both of good lineage, both handsome dogs. More than once some of their habits have brought me in for friendly but firm admonition at the hands of my good wife, but when the golden days of autumn come and I take my boys with guns and go with these dogs into the forests and fields I feel amply repaid for any of the troubles which their keep and possession bring to me. And when at the close of this session I return home I believe that the birds will be among my earliest callers. Every spring the robins foregather on my front lawn. Many times have I counted more than 20 there at one time. There they woo their mates and build their nests in the maples. Nothing is allowed to be done to prevent their coming and I fancy that in some way they divine they are welcome visitors.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. PEERY. Yes.

Mr. WILLIAMSON. Does the gentleman think that with the amendment submitted by the gentleman from Kansas [Mr. WHITE] and the amendment submitted by the gentleman from Virginia this bill will afford any adequate protection at all to migratory birds?

Mr. PEERY. Yes. I am coming to that, and I will refer

to it in just a moment.

Soon after the entry of our country into the World War there appeared a picture that had a peculiar appeal to me. the picture of an American home with the son clad in his khaki suit, with his gun in hand, responding to his country's call, leaving home for the front. His setter dog is seen following him to the gate and with uplifted paw shows his eagerness to go with the master. The young master with affection answers the mute appeal with the words, "Not this time, old pal."

Life in God's great outdoors makes of us better men. cultivates a spirit of freedom and of right. It helps to make of us true sportsmen, and we need true sportsmen for every

problem of life.

Many of my friends with whom I have enjoyed the pleasure of a hunt have urged my support of this game refuge bill. And so I approach the consideration of this measure in sympathy with the main purpose of the bill. I favor the preserva-tion of our wild life in America. I favor the protection of our birds. I favor the establishment of proper sanctuaries for our migratory birds.

But I am also the official Representative of one of the congressional districts in a State that has played no inconspicuous part in the history of our country, and whose philosophy and traditions have at all times sought to preserve one of the fundamental principles upon which our form of government

is founded, namely, that-

the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or

The bill now under consideration involves an application of this fundamental principle and is of far-reaching importance upon our present-day political life.

In my brief discussion of this bill I shall attempt two things: First. I shall present my objections to the present bill; and Second. I will in a general way outline what I believe would be a proper bill for the accomplishment of our common object.

The bill means a further encroachment of the Federal Government upon the rights of the States. It means that the Federal Government shall be charged with the execution of functions that should be left alone to the State governments. It means the further centralization of power in the Federal Gov-ernment at Washington. It means the further extension of the

principles of Federal bureaucracy.

The bill provides for the establishment of a commission, to be known as the Migratory Bird Refuge Commission (sec. 1.) It provides (sec. 3) that the Secretary of Agriculture is authorized to purchase or rent such areas as have been approved for purchase or rental by said commission, and to acquire by purchase, rental, or gift areas for migratory bird refuges and public shooting grounds. The money with which these lands are to be acquired or rented is to be derived by imposing an annual license tax upon any and all persons who hunt migratory birds. It provides that no person shall take any migratory bird or nest or egg thereof upon any such area except in accordance with the rules and regulations to be made and promulgated by the Secretary of Agriculture. It provides that no person shall at any time or upon any land in the United States hunt or take any migratory bird or nest or egg thereof without first procuring said Federal license, the only exception being that such license shall not be required of any person or any member of his family to hunt such migratory bird on any land owned or leased by such person and occupied by him as his

place of permanent abode.

Most of the States already have game laws for the protection of the migratory birds within their borders. The State which I have the honor to represent in part has laws that amply protect the migratory birds so long as they are within the borders of the State. There is a game warden in every county of the State whose duty it is to see that the fish and game laws are obeyed and enforced. We have cause for gratification at the way in which these laws are being enforced in our State. There is a wholesome public sentiment favoring the preservation of our fish and game which is helpful in securing the enforcement of these laws. The enactment of this law will result in the duplication of laws already in existence and in the duplication of the agencies for the enforcement of the law. Where we now have State game wardens for the enforcement of the game laws, this bill will create new offices and add Federal game wardens for the enforcement of the new Federal game laws. There will be a duplication of agencies

and a division of responsibilities. The man who makes two blades of grass to grow where only one grew before may be and is a benefactor to his day and generation, but not so of the legislator who makes a new law

where a sufficient law already exists.

The bill provides new civil and criminal penalties. After providing criminal penalties for the violation of sections 6, and 12 of the act, it provides that any person who shall violate any other provision of the act shall be liable to the United States in the sum of \$5 for the first violation and in the sum of \$25 for each subsequent violation to be collected in a civil action, and provides that the gun or other firearm carried or used by any such person shall be liable and may be seized by any United States game warden or deputy game warden until such liability is discharged. The result will be that in addition to having State game wardens looking after the proper enforcement of the game laws of the respective States we would have Federal game wardens or their deputies, throughout the States, spying and prying around for any supposed violators of the Federal game laws.

Gentlemen, we have already come to the point in our national life where thoughtful students of our Government are coming to view with alarm the continued tendency of the Federal Government to encroach upon the rights and powers of the States. There is already a demand on the part of many that this tendency be stopped. This protest is voiced on both sides of the aisle. The gentleman from Massachusetts [Mr. Theadway] in his speech on this bill, referred to this tendency. know from experience that when you once establish a new bureau in Washington it readily acquires the art of extension and self-perpetuation. A Federal bureau once obtained is seldom relinquished. A Federal bureau once established rarely ever dies, or in any way limits its functions. On the other hand, it rapidly grows and seeks to extend its functions and

activities throughout the land.

It is high time we return to our original moorings. It is of vital import that we demand rigid adherence to the funda-mental principles underlying the foundation of our Government. Let not the Federal Government encroach upon the rights and ably 6,000,000 people who, under this law, would be required

powers of the States unless changed economic conditions or development of our national life make it necessary. While I am one of those who believe in the doctrine of State rights, in common with others I recognize that in the course of our development it may become necessary that the States yield some of their reserved rights to the National Government. One instance is in the control and enforcement of prohibition, some phases of which can not be enforced by the States. In such cases it becomes reasonably necessary that the States yield to the Federal Government some of the rights reserved to them, in order to provide for the common good and welfare of all. We should, however, before yielding these rights on the part of the States to the Federal Government, be very sure that a real necessity exists therefor.

The distinguished minority leader [Mr. GARBETT] some days ago, in his great speech on the proposed Wadsworth-Garrett amendment, announced the true rule in this language:

I think the sound rule of action may be found in the policy of leaving all powers that can be as well exercised through State agency to be there exerted, and extending the arm of the Federal Government only to those things and themes which the States can not-I do not mean will not; I mean can not-reach.

There is a tendency on the part of some to extend the arm of the Federal Government to State activities where it will be merely more convenient for the Federal Government, or, as they claim, more effective for the Federal Government, to exercise the function. This is the cause for alarm that is now being voiced and to which I referred above. Many are asking the questions "Where and when will it end? What, if anything, will be left to the States?"

The gentleman from Arkansas [Mr. Ragon] in his speech in favor of this bill made the statement that people in his State had a more wholesome regard for Federal laws and the Federal agencies for the enforcement of those laws than they had for the State laws and the State agencies for the enforcement of State laws and argued for the passage of this bill on that ground, but, gentlemen, I have not yet come to that point, and I hope I never will. I believe that the States are capable of enforcing their laws and that we should not abdicate on the part of the States in favor of the Federal Government. I believe that "the best governed people are the least governed people." It is wrong in principle and unwise in policy to add Federal laws where State laws that meet the situation already exist. It is unsound economics and bad business to enact laws that provide duplication of agencies. It is unwise to produce a division of responsibility. The result oftentimes is a lax enforcement of the law on the part of both agencies. Oftentimes it results in absolute failure of enforce-

This bill means a duplication of license taxes. Most of the States are already levying license taxes for the privilege of hunting. We have such a license tax already in Virginia. This bill proposes to add an additional Federal license tax for the privilege of hunting migratory birds anywhere in the

United States

We are told that the bill is backed by the sportsmen of the country, and that the sportsmen of the country would not back anything that was not a good bill. The gentleman from Massachusetts [Mr. Treadway] told us that there was a strong propaganda throughout the country favoring the passage of this bill. The gentleman from Arkansas [Mr. Ragon] would have us believe that the cost of providing these game refuges and shooting grounds under the bill will be borne by the sportsmen throughout the country. Ah, just there is the joker in this bill. There is a tremendous propaganda back of the bill. It is the cleverest sort of propaganda, the kind that is so arranged that the other fellow pays the greater part of the cost.

The bill may be and is backed by certain sportsmen, yet under the bill as drawn the sportsmen who will get the greater benefits from the passage of the bill are not good enough sportsmen to propose to pay their just proportion of the cost. Under the bill the sportsman who is financially able to pay his own railroad fare, ride in a Pullman car, stop at an expensive hotel, and pay the fees for expensive boats and guides when he goes to these shooting grounds to hunt is called upon to pay only \$1 per year, while every fellow back home-every miner, every laborer, every farmer, every school boy who wants to take a day off and go with his dog and gun into the field and forest to hunt, if he hunts anything from a woodcock to a woodpecker, providing it is a migratory bird, must likewise pay this Federal license of \$1 per year or become a violator of the law. It has been stated in the debate on this measure that there are prob-

to pay this license. Of that number I doubt if there would be one-tenth of 1 per cent who would be able to avail themselves of the privilege of hunting in these game refuges or shooting grounds. Yet every man, woman, or boy who even "attempts to hunt" a migratory bird anywhere in the United States must pay this Federal license tax of \$1 per year; and the professional sportsman of large income and ample means pays no more for the privilege in these Federal shooting grounds than the fellow back home who will never be able to go there because of the

It has been aptly stated on the floor that this bill, as drawn,

is a rich man's bill.

The gentleman from Kansas [Mr. TINCHER] chides us on the Democratic side of the isle with the statement that in the Democratic platform adopted at the New York convention our party declared itself in favor of the conservation of migratory birds, the establishment of game preserves, and the protection and conservation of wild life and argues that because of this platform declaration we should support the present bill.

I was one of those who spent a goodly portion of the summer in attendance upon the somewhat hectic ordeal incident to that convention and am willing to abide by the party declaration on this question; but it by no means follows that we are obligated to favor the passage of this present bill, which garnishes the general principle with such obnoxious features and

provisions and carries provisions that utterly violate some of the fundamental principles of our party policy.

In reply to the gentleman from Kansas, I might remind him that he, in company with his Republican brethren at their last national convention held in Cleveland, declared in favor of a reduction of taxes, and yet in the advocacy of this present bill he urges a reversal of policy on that point and proposes, in-stead of reducing taxes, to add another new tax upon a substantial body of the citizens of our country. If I were viewing this bill from a purely partisan standpoint I would feel like saying to the gentleman from Kansas and to the other sponsors of the bill on his side of the aisle, "Go to it" and pass the bill, so that we on this side of the aisle might observe with some gratification the peculiar pleasure that will come to those of you who represent country districts when you go back home and the boys gather around you and tell you how glad they are that you gave them the privilege of paying another license tax on the exercise of the God-given privilege to hunt, and how delighted they will be to have a Federal agent constantly hanging around to see whether or not they or their boys are hunting bull bats, woodcocks, or woodpeckers without having first obtained a Federal license.

Section 9 of this bill is open to serious objection. It provides that all moneys received for licenses shall be set aside as a special fund in the Treasury to be known as the "migratorybird protection fund," 45 per cent thereof to be expended in the purchase or rental of lands and waters for use as bird refuges and public shooting grounds and for the administration, maintenance, and development thereof and-

the construction of cabins and other necessary improvements-

And 45 per cent thereof for enforcing the migratory-bird treaty act, the Lacey Act-

including salaries in Washington, D. C., for cooperation with local authorities in the protection of migratory birds-

And so forth.

Under this section a special fund, or revolving fund, is created. This is unwise in policy and will prove bad in practice. Opposition to the policy was voiced by the gentleman from Idaho [Mr. French], a member of the Committee on Appropriations, who offered an amendment to the bill providing that all moneys received should be covered into the Treasury of the United States to be appropriated and paid out as other funds are, subject to the control of the Budget and under the usual checks and balances.

And note, if you please, one of the things to which a portion of the funds may be devoted—"construction of cabins." It is a safe prophecy that these "cabins" will soon develop into

luxurious hunting lodges.

The proposed law would be exceedingly difficult to enforce. It would be an unpopular law. A great majority of our citizens who would be affected by the law would be resentful of its enforcement. It goes without saying that the ordinary mountain man who has been accustomed to exercise the right and privilege of the hunt and chase, which has been exercised and enjoyed by his ancestors throughout the years, would resent the idea of being compelled to pay not only a license to the State, but a license to the Federal Government, each year in order to continue to exercise this right and privilege. I confidently venture the assertion that the cost of collecting these license taxes and enforcing the law, with all of its attendant civil and criminal penalties, would greatly exceed the 45 per cent of the fund proposed to be devoted to that purpose. In fact, I believe that there would be a popular contempt for the law which would result in the nonenforcement of the law. To this good day there are some upright mountain men who sincerely believe that they should have the right to manufacture the juice of their own corn and the fruit of their own vine, but they fail to properly measure the injury that may result to others from their action. But there is no inherent wrong or resultant injury to others in exercising the privilege of the hunt at the proper season, and there will be many, yes, very many, who will continue to believe that they should have the right to continue to exercise this right without having to pay a tax therefor to the Federal Government. A law that is incapable of reasonable enforcement along common-sense lines should never be enacted. Such a law breeds contempt for law in general.

I submit that the bill in its present form should not become

And now, having briefly outlined some of the objections that I urge to the bill, let me suggest in a general way my idea

of a proper bird refuge bill.

Let the Federal Government, if it may properly do so under the Constitution and laws, acquire by purchase, rental, or gift the necessary areas for game refuges, but let such areas be paid for, just as the Government pays for the forest reserve lands. Let them be paid for out of the Treasury. The result will be that the income-tax payers of the country, who under our present laws pay according to a graduated scale, will pay the greater part of the cost. Under the income-tax law the man of large wealth and income pays more in proportion than the poor man. In that way the professional sportsman with a large income will come nearer paying his just proportion of the cost of this law. Impose no general license tax, except upon those who hunt in the game refuges. Let the man back home continue to exercise the privilege to hunt subject alone to the laws of his State.

Let the Federal Government have Federal game wardens to patrol the game refuges to be acquired and owned by it, but

none elsewhere.

Let the States make and enforce the game laws everywhere throughout their own borders, except upon the areas to be so

acquired and held by the Federal Government.

To my mind this general plan will simplify the proposition. It will preserve our fundamental philosophy of reserving to the States the rights which properly belong to them and yielding to the Federal Government on the part of the States only such rights as should be exercised by the Federal Government. In this way the duplication of laws will be avoided. the duplication of agencies for the enforcement of the law will likewise be avoided. We would also escape duplication of taxes. The law could be enforced in an economical and common-sense way. The law will commend itself to the public and will be capable of enforcement.

It was my privilege when I was a student of law at Washington and Lee University to receive instruction from a ginia gentleman who was for a number of years a distinguished Member of the lower House of Congress, Hon. John Randolph Tucker. May I say of him with reverent affection that he was one of the most delightful and one of the greatest men I ever knew. He was the father of our present distinguished and beloved colleague from Virginia [Mr. TUCKER]. One of the quaint expressions often used by him in his teaching and which sank deep into my memory was this, "Shinny on I think we may to-day very pertinently apply your own side." this expression to the relation between the Federal Government and the States. Let the Federal Government "shinny own side. Let it not, upon the argument of mere convenience or caprice, take unto itself the exercise of any of the rights reserved unto the States and which should continue inviolate in the States. And let the State governments "shinny" on their own side in the enforcement of laws which they should enforce.

The amendment offered by me to section 7 of the bill seeks to accomplish this very purpose. If adopted and the remainder of the bill is made to conform thereto, we may accomplish a righteous object in a righteous way. We will not do so by

passing the bill in its present form.

The CHAIRMAN. The time of the gentleman from Virginia

has expired.

Mr. PEERY. Mr. Chairman, I ask for three minutes more. The CHAIRMAN. All time for debate has expired. T Mr. PEERY. question comes on the amendment offered by the gentleman from Virginia.

Mr. HUDSPETH. Mr. Chairman, may we have the amendment again reported?

Without objection, the amendment will The CHAIRMAN. be again reported.

Mr. ANTHONY rose.

For what purpose does the gentleman The CHAIRMAN. from Kansas rise?

Mr. ANTHONY. Mr. Chairman, I rise to ask recognition in opposition to the amendment.

The CHAIRMAN. The time for debate on this section and

all amendments thereto has expired.

Mr. ANTHONY. But, Mr. Chairman, no time has been allowed in opposition to the amendment. I ask unanimous consent to proceed for one minute in order that I may speak in opposition to the amendment.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. DEAL. Mr. Chairman, I understood that the gentleman from Iowa would accord me five minutes. I objected to his request; but when it was put, I understood I was to have

The CHAIRMAN. The parliamentary situation is that all time for debate has now expired on this section and all amendments thereto.

Does the gentleman want to address him-Mr. HAUGEN. self to the pending amendment?

Mr. DEAL. I am interested in this amendment and also in

one which I might probably offer myself.

Mr. HAUGEN. Mr. Chairman, of course, it is not for me to allot the time. I understood the gentleman to ask for time and I regret exceedingly that the gentleman was not granted time. I ask unanimous consent that the gentleman from Virginia [Mr. Deal] may proceed for five minutes and the gen-

tleman from Kansas [Mr. Anthony] for one minute.

The CHAIRMAN. The request now is that the gentleman from Virginia [Mr. Deal] have five minutes and the gentleman from Kansas [Mr. Anthony] one minute. Is there ob-

jection?

There was no objection.

Mr. DEAL. Mr. Chairman, if I understand correctly the amendment offered by the gentleman from Virginia [Mr. PEERY] it provides that there shall be no license fees required of those hunting their own lands or those of their neighbors when consent is given. Is that right?

Mr. PEERY. If the gentleman will yield, I will say in

answer to the gentleman that the object of my amendment is to eliminate all license fees except as to persons who hunt

upon the area covered by a game refuge.

Mr. DEAL. I understand. I favor that amendment, because it estops the Federal Government and a little king, who will be at the head of the commission, from being granted the right to make rules and regulations which will have the binding force of law, with respect to lands that may be owned by men and women who pay taxes to their own States and license fees for the privilege of hunting.

These lands are not bird refuges and the Federal Government should not be given any jurisdiction nor should the chairman of a commission have the right to make rules and regulations that would control the hunting upon my lands or

those of my neighbor.

The members of the feathered tribe that are comprised within the limits of this bill might, and undoubtedly will, ravage the crops of many persons who are engaged in the interest of farming. I know of areas on which it has been necessary to employ guards, with powder and shot, to protect the crops. At certain seasons there are tens of thousands, perhaps hundreds of thousands, of wild geese that invade certain territory within my State and literally destroy our wheat crops by pulling the wheat out of the ground. Now, the gentleman from Kansas wants an exception for his particular State. I want an exception for my State, and I dare say that the conditions in every State in the Union will more or less differ with respect to the interest and hunting conditions of their people. For that reason I think there should be no Federal game law whatsoever other than providing for refuges, not to be hunted but for the purpose of preserving game life.

The CHAIRMAN. The time of the gentleman from Virginia

has expired.

Mr. ANTHONY, Mr. Chairman, I think that if either of these amendments was adopted, either that of the gentleman from Kansas [Mr. White], or that of the gentleman from Virginia [Mr. Peery], it would destroy the effectiveness of the bill. The amendment offered by the gentleman from Kansas [Mr. White] would so widen the number of those who would

escape the license that there would be but little territory left upon which license fees could be collected. The other amendment would so greatly lessen the number of licenses that would be applied for that it would take the life out of the bill, and there would be but limited funds for the purpose of carrying out the objects of the bill. Both amendments should be voted

Mr. McKEOWN. Will the gentleman yield? Mr. ANTHONY. Yes. Mr. McKEOWN. Can a man in the city who owns a farm out in a county hunt on that land without a license?

Mr. ANTHONY. I do not think so, unless he lives on his

farm at least part of the time.

The CHAIRMAN. The gentleman from Kansas [Mr. White] offered a perfecting amendment; the gentleman from Virginia [Mr. Perry] offered an amendment in the nature of a substitute for the whole section as a substitute for the pending amendment, going, however, to the essence of the whole section. According to the practice of the House, the perfecting amendment should be first put.

Mr. HUDSPETH. Mr. Chairman, may we have the amend-

ment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Kansas, The amendment was again read.

The question was taken; and on a division (demanded by Mr.

Anthony) there were—ayes 28, noes 62.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum. The vote demonstrates there is no quorum present. The CHAIRMAN. The Chair will count. [After counting.] One hundred and thirty gentlemen present, a quorum.

So the amendment was rejected. The CHAIRMAN. The Clerk will again report the amendment of the gentleman from Virginia [Mr. PEERY].

The amendment was again reported.

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken; and on a division (demanded by Mr. PEERY) there were—ayes 29, noes 66.

So the amendment was rejected.

Mr. DEAL. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DEAL: On page 5, line 13, after the figures "755" and the bracket, strike out the remainder of the paragraph and insert in lieu thereof the following: "Such license, however, shall not be required of any person or any member or friend of his family to take any such migratory bird on any land owned or leased by such person; and nothing in this act shall be construed to exempt any person from complying with the laws of the several States."

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken; and on a division (demanded by Mr. DEAL) there were—ayes 27, noes 67.

So the amendment was rejected.

The Clerk read as follows:

SEC. 8. That licenses where required under this act shall be issued. and the fees therefor collected, by the Post Office Department, under joint regulations to be prescribed by the Secretary of Agriculture and the Postmaster General. The provisions of the act of January 21, 1914 (38 Stat. L. p. 278), as amended by the act of July 2, 1918 (40 Stat. L. p. 254), shall apply to such licenses and funds received from sales thereof in possession of postmasters.

With the following committee amendment:

On page 6, line 1, strike out the figures "254" and insert in lieu thereof the figures "754."

The committee amendment was agreed to.

Mr. TREADWAY. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: On page 5, strike out, in line 22, after the word "Department," the remainder of line 22, and line 23, and insert the following: "under regulations prescribed by the Postmaster General."

Mr. TREADWAY. Mr. Chairman, the object of this amendment is simply to make regular orders given to postmasters. It does not seem to me we should prescribe that the duties of the employees of the Postal Department should be regulated by a This in no way affects the efficacy of the section, but is simply to have orders to post-office employees given by

the Postmaster General, rather than by a joint commission of the Postmaster General and the Secretary of Agriculture.

The CHAIRMAN. The question is on the adoption of the

The amendment was adopted. The Clerk read as follows:

Sec. 9. That all moneys received for such licenses shall be covered into the Treasury and shall constitute a special fund to be known as the "Migratory bird protection fund," which is hereby reserved, set aside, appropriated, and made available until expended, as follows: Not less than 45 per cent thereof-

Mr. BLANTON. Mr. Chairman, I make a point of order on the section. The Clerk has read far enough to show that this is in violation of the rules of the House. If the Chair will read the first clause of this paragraph the Chair will see this bill appropriates money in violation of the rules. This committee has no appropriating power at all. Only the Committee on Ap-

propriations has that power.

The CHAIRMAN. The gentleman observes that has been

striken out by a committee amendment.

Yes; but it is in the bill, and I will call Mr. BLANTON. the Chair's attention to the fact that you can not cure the objection by a committee amendment. The Speaker has so held. This language is in the bill and we are going to have to vote on this particular paragraph. The committee will be called upon to vote on the question of whether they shall substitute this committee amendment for the language of the bill. If the Chair has any doubt about it and will call upon the parliamentary clerk, he will call the Chair's attention to the rulings

The CHAIRMAN. Does the gentleman from Kansas desire

to be heard on the point of order?

Mr. TINCHER. The point has been raised several times in the House since the Budget law was enacted and the Chair has invariably held that the bill was not subject to the point of order because it contained such language--just the opposite from the contention of the gentleman from Texas. This point has been decided twice since the Budget law was passed, and the decision has been just the contrary of the opinion expressed by the gentleman from Texas. It has been held that this language in the bill is subject to a point of order, but the bill itself is not subject to a point of order.

Mr. BLANTON. If the gentleman were as good a parlia-mentarian as he is head of the steering committee, it would

be all right.

Mr. TINCHER. Oh, well, those who do not talk so much about parliamentary law, perhaps, know as much as others that take up considerable time.

Mr. BLANTON. That is a fact.
Mr. STEVENSON. I agree with the gentleman from Texas; the language of this bill as it stands before the adoption of the committee amendment, "is hereby reserved, set aside, appropriated, and made available until expended." It is even more objectionable than the rest of them because it is made available for not only the fiscal year for which this bill provides, but for all time. The fact that the committee has attempted to put in an amendment does not cure the defect which is fatal to the section of the bill.

The CHAIRMAN. The Chair is ready to rule. The Chair sustains the point of order.

Mr. TINCHER. Mr. Chairman, I offer a new section to be known as section 9.

The CHAIRMAN. The gentleman from Kansas offers an amendment as a new section, which the Clerk will report.

The Clerk read as follows:

Sec. 9. That all moneys received for such licenses shall be reserved and set aside as a special fund in the Treasury to be known as the "Migratory bird protection fund," to be appropriated from time to time by Congress, and when appropriated shall be available until expended, as follows: Not less than 45 per cent thereof for the purchase or rental or necessary expenses incident to the acquisition of suitable land, waters, or land and waters for use as migratory-bird refuges and public shooting grounds, and for the administration, maintenance, and development of such refuges and grounds and the construction of cabins and other necessary improvements; not less than 45 per cent thereof for enforcing the migratory bird treaty act, the Lacey Act (secs. 241, 242, 243, and 244, Criminal Code), including salaries in Washington, D. C., for cooperation with local authorities in the protection of migratory birds, for investigations and publications relating to North American birds, and for printing and engraving licenses, circulars, posters, and other necessary matter under this act; and not to exceed 10 per cent thereof for expenditures as follows: First, such sum as the Secretary of Agriculture and the Postmaster General may determine to be necessary for the issuance of licenses under this act, of those interested in this legislation have made so much of an

which sum the Secretary of the Treasury shall be duly notified at the commencement of each fiscal year; second, for the repayment of the \$50,000 as provided by this act; and, third, for any expense necessary to give effect to this act; but any part of the 45 per cent last mentioned, or of the 10 per cent, of such moneys received in any fiscal year and remaining unexpended and against which there are no liabilities at the expiration of two years from the date such moneys become available for expenditure shall revert to the surplus fund of the Treasury. The Secretary of Agriculture shall make an annual report to Congress of receipts and expenditures under this act.

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment that it is in effect an appropriation; the purpose is to take money out of the Treasury. It is not an authorization for an appropriation. I call the Chair's attention to this language: It says, "All moneys received for such licenses thell be received and one of the chair's attention to the chair is the chair in the chair in the chair is the chair in the chair is the chair in the chair in the chair is the chair in the chair in the chair is the chair in the shall be reserved and set aside as a special fund in the Treasury to be known as the "Migratory bird protection fund." Now, because it says "to be appropriated by Congress" does not cure the situation. The Chair is one of the best parliamentarians in the House. He was, before he came here, in the Legislature of Massachusetts, and he knows that when you take public money that otherwise would go into the general fund in the Treasury of the United States and set it aside in a special fund such as proposed in this bill that of itself is an appropriation of general funds in the Treasury. A distinguished colleague of the present occupant of the chair, Mr. Walsh, who now adorns the bench of the supreme court in the Commonwealth of Mas-sachusetts, raised this very point in the House and was sus-tained by the present Speaker of the House, when he raised the question that when you take money from a public fund and set

The CHAIRMAN. In the ordinary use of the word "appropriation" there is a departure of money from the Treasury and the purpose to which it shall be applied. The Chair is of the opinion that the ordinary term "appropriation" should be construed in that light. The Chair overrules the point of order.

Mr. JONES. Mr. Chairman, I offer the following amendment to the pending amendment.

The Clerk read as follows:

Amendment offered by Mr. Jones to the amendment offered by Mr. TINCHER: Page 6, line 12, after the word "than," strike out the figures "45" and insert in lieu thereof the figures "65"; in line 19, strike out the figures "45" and insert the figures "25;" and in line 19, strike out the word "less" and insert the word "more."

Mr. JONES. Mr. Chairman, that is practically the same amendment that we were talking about a few minutes ago. Under the terms of the bill not less than 45 per cent would be spent for bird reserves and not less than 45 per cent for the enforcement and wardens. I have changed it so that not less than 65 per cent would be spent for game refuges and not more than 25 shall be spent for enforcement. Under the terms of the bill, as it reads now, the ones in charge of the commission would be compelled to spend not less than 45 per cent, whatever might be collected, and it is estimated that there are 6,000,000 sportsmen. There might be two or three million dollars collected, and there would be more than a million dollars that this commission would be compelled to expend for wardens and enforcement.

Mr. TREADWAY. Mr. Chairman, I offer a substitute for the amendment of the gentleman from Texas.

The CHAIRMAN. The gentleman from Massachusetts of-fers a substitute for the amendment of the gentleman from Texas, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. TREADWAY, as a substitute of the amendment of Mr. Jones: Page 6, section 9, line 12, strike out the figures "45" and insert "66." Strike out all of section 9 after the semicolon, page 6, line 19, and insert the following: "not less than 45 per cent thereof for enforcing the migratory bird treaty act, the Lacey Act (secs. 241, 242, 243, and 244, Criminal Code), for cooperation with local authorities in the protection of migratory birds, for investigations and publications relating to North American birds, and for printing and engraving licenses, circulars, posters, and other necessary matter under this act; for the issuance of licenses under this act; for the repayment of the \$50,000 as provided by this act.'

Mr. TREADWAY. Mr. Chairman, I do not think the country is suffering any from the fact that the migratory bird bill has been delayed in its passage for two years. I think the bill as presented to the House now is very much better than the one that was beaten two years ago. I never have been a very keen advocate of the principle of relegating State power to item of it and have stirred up so much interest in it—call it propaganda starting from the Department of Agriculture if you wish, where I think a good deal of it did start, and working on through the various State officials, and so on into the game clubs-that a manufactured sentiment has been created. We all know it by the way in which we receive letters and telegrams, but the sentiment evidently has been established in behalf of legislation of this kind, and therefore I shall reverse my position of two years ago and support the bill, largely because I think it is a very much improved bill. Taking out the punshment clause, as has been done since this measure was originally considered here, is a very great factor in my change of position, and now, with the adoption of such an amendment as I have just offered, it will again make a perfecting provision which I think is vital. I criticized, and severely criticized, two years ago, the establishment of a lot of positions here in Washington under the bill. I would cut that out. I am assured that the friends of the bill do not desire to have established here sinecure positions which were possible under the original phraseology.

Mr. MONTAGUE. I agree with my friend's position in mak-

ing that assertion, but does not the law permit that authority?

Mr. TREADWAY. I do not quite agree with my friend from Virginia, that the change of phraseology would permit it, because in my amendment, I will say to the gentleman from Virginia, I strike out the clause "including salaries in Washington, D. C.," with the understanding that all the employment that can be given in the city of Washington will be such clerical assistance as may be necessary to take care of the returns from the license fees. There will not be established, under the phraseology as I am offering it, and as agreeable, I understand, to the friends of the bill, an opportunity to establish new positions here in Washington. And, further than that, you will note a change of percentages, that instead of only 45 per cent being devoted to the use of the purchase or securing of land the change will make it 60 per cent, and then 40 per cent for the other features of the bill, including enforcement and the employment of such game wardens as may be necessary to give effect to the law.

Mr. STEVENSON. Will the gentleman yield?
Mr. TREADWAY. I will.
Mr. STEVENSON. In hearing the gentleman's amendment read, I understood him to put in the words, just before "printing and engraving licenses," the words "and personal printing and the state of the state What does that contemplate?

Mr. TREADWAY. Simply the clerical employment here to

comply with the necessary statute law.

Mr. STEVENSON. Does it not add to rather than take

Mr. TREADWAY. No. As it reads in the committee draft it says "including salaries in Washington." That would leave the language wide open for everything, and I cut it out, as the gentleman will notice.

Mr. PEERY. Will the gentleman yield?
Mr. TREADWAY. I will.
Mr. PEERY. Does the gentleman believe this law providing for the collection of these licenses and the enforcement of these penalties, civil and criminal, can be enforced with 40 per cent

of the funds derived from the licenses?

Mr. TREADWAY. The friends of the measure claim that more than a million huntsmen will take out licenses in a year under the provisions of the law, and it is estimated that the number may even reach to 2,000,000, and a fund of \$2,000,000, 40 per cent of that, is a great deal of money; and in connection with the work of State game wardens certainly it seems to me it would be ample for the enforcement in the areas where game preserves are established.

The CHAIRMAN. The time of the gentleman has expired. Mr. TREADWAY. I ask for two minutes additional.

CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent

that all debate on this section and all amendments thereto

Mr. FRENCH. Reserving the right to object, I want three

Mr. HAUGEN. I will make it 15 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

Mr. FRENCH. Reserving the right to object, may I have

five minutes?

Mr. HILL of Maryland. Reserving the right to object, I would like five minutes.

Mr. BLANTON. Make it 20 minutes.

Mr. PEERY. Will the gentleman make it 20 minutes? Mr. HAUGEN. I will ask that it be made 18 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 18 minutes. Is there objection? [After pause.] The Chair hears none.

Mr. TREADWAY. Mr. Chairman, let me get back to my amendment. It is this: The 40 per cent will combine the other activities of the law other than that of buying land. In the phraseology of the committee there are several different schemes proposed; 25 per cent for enforcement, and 10 per cent for license, and 10 per cent for something else. My amendment simply concentrates them all in one and makes the law no less effective as a law; and it seems to me it would make it very much more workable, as long as we are going to have this game refuge bill, and I therefore trust the amendment will be adopted. [Applause.]

Mr. HILL of Maryland. Mr. Chairman and gentlemen of the committee, the gentleman from Massachusetts [Mr. Tread-WAY] has stated that two years ago he voted against the bill, but that now the bill had been so modified with reference to its punishment features that he proposed to vote for the bill.

desire to call Mr. TREADWAY'S and your attention to the punishment features. Section 6 of this bill provides that no person shall take any migratory bird. Section 17 provides that the word "take" shall be construed to mean pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise

Now, let us see what the penalty for the violation of that act I do not think this bill from the general point of view of criminal legislation is properly prepared. It is a cardinal rule of criminal legislation that when you create a crime the act which creates that crime should make the penalty perfectly clear. You have got penalties in this bill camouflaged by references to existing acts. For instance, on page 10, by section 16, it is provided that-

any person, association, partnership, trust, or corporation who shall violate any of the provisions of section 12 of this act shall be punished as is provided for in section 219 of the act of March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States."

Why does not the bill say that the penalty provided in the Penal Code, section 219, is not more than five years in the penitentiary and not more than \$500 fine?

Mr. COLTON. Or both.

Mr. COLTON. Or both.

Mr. HILL of Maryland. Yes; both fine and imprisonment.

Why should not that appear? Then, in section 11 it says that
any person who shall violate or fail to comply with any provisions of sections 6 and 11 of this act shall be punished as is provided for in the migratory bird treaty act of July 3,

Why does it not say they shall be given a fine of not more than \$500 or not more than six months' sentence in jail, or both, in accordance with the terms of the law?

When the proper time comes I shall move amendments that will set forth the punishments really provided in this act, which substitute the punishments provided for the camouflage which is in the bill.

But I want to say to you at the present time that it is a very improper thing to create here new Federal crimes without expressing their penalties definitely on the face of the bill, and I rose especially to say this because I opposed this bill two years ago. I would be glad to vote for the bill if I could conscientiously do so, but I can not agree with the gentleman from Massachusetts [Mr. TREADWAY] in his statement that these objections have been removed. I shall ask the Clerk to read the two amendments I propose to offer.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. TREADWAY. I referred to the fact that in the changed draft the clause is entirely eliminated requiring the man who is arrested to appear before the Federal court. That was in the phraseology of the old bill.

Mr. HILL of Maryland. But you should remember that when a man goes before the United States court with the possibility of five years' imprisonment and the payment of \$500 fine under section 16, he has got to go to the United States court.

Mr. TREADWAY. Then I will vote for the gentleman's amendment.

Mr. HILL of Maryland. I do not think you want to put into this bill a mislending and false statement of what the penalties are. If you are going to vote for the bill, you want to know what it is

The CHAIRMAN. The reading of these amendments has consumed some of the time allotted to debate.

Mr. HILL of Maryland. Is it possible to have the amendments read without taking the time from the debate? I ask unanimous consent that that be done.

The CHAIRMAN. The time was set for the conclusion of the debate, 18 minutes. Is there objection to the reading of

the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. FRENCH. Mr. Chairman, I ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment

offered by the gentleman from Idaho.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 6, line 4, strike out all the language of the Tincher amendment and insert in lieu thereof the following: "That all moneys received for such licenses shall be covered into the Treasury of the United States."

Mr. FRENCH. Mr. Chairman and gentlemen of the committee, for quite a number of years the Congress has been trying to get away from the revolving funds that have been set up in years past in one department or another. Here in this bill we are proposing to set up a sort of revolving fund to be carried as a distinct fund in the Treasury, and to be applied for particular purposes, as Congress shall direct.

The amendment that I propose will require that the money received shall be turned into the Treasury of the United States as are other receipts. Then the departments in enforcing the law would go before the Budget Bureau, submit their estimates for administration of the duties under the law, the purchase of lands and, in fact, all services required. knows what the receipts will be under the pending bill. They have been estimated at \$750,000. They have been estimated within the last few minutes as high as \$2,000,000. I have here the report of the Secretary of Agriculture written less than a year ago in which a statement is made to the effect that it is estimated that more than 6,000,000 people in the United States engage in hunting of one kind and another each year. morning I read in a magazine devoted largely to bird life a statement that in the last 30 years the vast sum of \$100,000,000 has been paid into the treasuries of the several States for licenses of one kind or another.

The State of Pennsylvania in 1922 collected \$400,000 in No one knows how much money will be turned into the revolving fund set up by this bill. It ought to go into the Treasury. Then, annually, according to the estimates made by the Budget, this Congress ought to consider the appropriations that shall be made for the maintenance of the service

to which this bill pertains.

Mr. ANTHONY. Mr. Chairman, I want to clarify or have an understanding regarding the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY]. As I understand it, the language of his amendment begins after the colon in line 12, on page 6, and leaves intact all the previous language.

Mr. TREADWAY. That is correct.
Mr. TINCHER. Will the gentleman yield?
Mr. ANTHONY. Yes.
Mr. TINCHER. I asked the gentleman from Idaho to yield when he was discussing the amendment he has offered. There can not be any misunderstanding about the French amendment. The gentleman wants these sportsmen to pay their money in, turn it over to the appropriating committee of the House and then come here each year, on bended knee, and ask the Appropriations Committee whether they can have a part of their money back to administer the law and buy game reserves. Does not the gentleman think the appropriating committee of the House has pretty nearly enough power now without wanting to take the money these sportsmen pay and func-

Mr. ANTHONY. In that connection I want to say, in regard to the French amendment, that the sportsmen of the country who come here and voluntarily ask to be permitted to raise a fund to create these game refuges and carry this law into effect stand in a little different light than the general taxpayers of the country, and I think their money should be considered in a little different manner and that they are

entitled to have all of it applied to the objects of this bill without going through the labor and effort which would be involved at each session of Congress, of coming here and asking that it be appropriated for this purpose or that purpose. The language set up by the bill safeguards its expenditure in such a manner as to avoid being improperly diverted.

Mr. LaGUARDIA. But the fund is made up of license

fees. It is not a voluntary contribution.

Mr. ANTHONY. That is true.
The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts as a substitute for the amendment offered by the gentleman from Kansas.

The question was taken, and the substitute was agreed to. The CHAIRMAN. The next question is upon the amendment as amended to the amendment offered by the gentleman from Kansas.

Mr. TINCHER. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it. Mr. TINCHER. The gentleman from Idaho offered a substitute for my amendment.

Mr. FRENCH. If the gentleman will permit, we have not reached the stage where I can offer it. As soon as this vote shall be taken then I will present the amendment.

The CHAIRMAN. The question is on the amendment as

amended to the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

Mr. FRENCH. Mr. Chairman, I offer as a substitute the

amendment which the Clerk read a moment ago.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk read as follows:

Amendment to the amendment offered by Mr. TINCHER: Page 6, strike out all the language-

Mr. TREADWAY. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.
Mr. TREADWAY. My substitute prevailed in place of the Tincher amendment, did it not?

The CHAIRMAN. No; the Tincher amendment is amended by the substitute and is still in existence. The Clerk will read the amendment offered by the gentleman from Idaho.

The Clerk read as follows:

Amendment to the amendment offered by Mr. TINCHER: Strike out all of the language of the Tincher amendment and insert in lieu thereof the following: "That all moneys received for such licenses shall be covered into the Treasury of the United States."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Idaho.

The question was taken; and on a division (demanded by Mr. ANTHONY) there were—ayes 27, noes 50.

Mr. FRENCH. Mr. Chairman, I demand tellers. The CHAIRMAN. The gentleman from Idaho demands tellers. Those in favor of ordering tellers will rise and stand until counted. [After counting.] Seventeen gentlemen have

risen, not a sufficient number, and tellers are refused.
So the amendment was rejected.
The CHAIRMAN. The question now comes upon the amendment offered by the gentleman from Kansas as amended.

The amendment as amended was agreed to.

The Clerk read as follows:

SEC. 10. That each applicant for a license shall pay \$1 therefor, and shall sign his name in ink on the face thereof, and each license shall expire and be void after the 30th day of June next succeeding its issuance. Any person who shall take any such migratory bird or nest or egg thereof shall not only possess such license but shall have it on his person at the time of such taking, and he shall exhibit such license for inspection to any person requesting to see it.

Mr. Chairman, I offer an amendment. Mr. JONES. The CHAIRMAN. The gentleman from Texas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Jones: Page 7, line 24, after the word "person" strike out the words "requesting to see it," and insert "authorized by law who requests to see it."

Mr. ANTHONY. Would the gentleman consent to modify his amendment by striking out the words "by law who requests to see it" and have inserted "authorized to see it"?

Mr. JONES. That is perfectly all right. I started to draw

the amendment in that way in the first place. Mr. Chairman, I ask unanimous consent to modify my amendment.

The CHAIRMAN. Without objection the Clerk will report the modified amendment.

There was no objection. The Clerk read as follows:

Modified amendment offered by Mr. Jones: Page 7, line 24, after the word "person" strike out the words "requesting to see it" and insert in lieu thereof "authorized who requests to see it."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I move to Mr. JOHNSON of Washington. Mr. Charman, I move to strike out the last word. We will discuss this bill a little more. It is developed now that the title of the bill is a mis-nomer. It reads, "For the establishment of migratory-bird refuges, to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds." All of those words should be stricken out.

This bill is put forward in the name of conservation. To me it looks like 1 per cent bird conservation and 99 per cent

makers of ammunition and shotguns. [Applause.]

Do not make any mistake about it. A great many Members on the floor say that they are indifferent as to the consideration of the bill, that it will not have time to pass the other The place to show activity is now. [Applause.] may find in a very few years that the little cabins mentioned here on page 6 have become hunters' lodges and clubhouses. Is the neighborhood hunter to come with his old double-barrel shotgun and his old farm coat and join the expert professional hunters who come from Boston, Baltimore, and New York?

Mr. BLANTON. Will the gentleman yield? We all agree with the gentleman, but how can we defeat a bill when it is fathered here by the gentleman's colleague from Kansas [Mr. Anthony], who can carry almost any measure he wants to on

Mr. JOHNSON of Washington. I do not think the gentleman will want to carry this through. He is willing, I understand, to give up the \$1 license scheme. Why should the States give up their dollars? Why should they pay when if the States handle the funds they could buy all of the bird refuges

that they need? [Applause.]

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto

close in 12 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 12 minutes. Is there objection?

There was no objection.

Mr. PEERY. Mr. Chairman, I move to strike out the last two words.

Gentlemen, I was not fortunate enough to make my position very clear in the few moments I had a while ago, and I ask the indulgence of the committee for just a moment.

The gentleman from Kansas [Mr. Anthony] suggested that if either the amendment that was offered by the gentleman from Kansas [Mr. White] or myself should prevail, there would be no money for the establishment of these game refuges. The gentleman from Massachusetts voices the alarm that is felt— and it is common to both sides of this aisle—that Federal authority is gradually encroaching upon State authority. gentleman also says there is a propaganda back of this bill promoted by sportsmen for the passage of the bill. Ah, yes, gentlemen, it is propaganda, and it is clever propaganda in that instead of the sportsmen themselves paying the cost of this, they propose to levy it upon every coal miner, upon every laborer, upon every farmer or farmer's son who takes a day off and goes out into the woods or fields to hunt anything, [applause] ranging from a woodcock to a woodpecker, so long as it is a migratory bird, and they propose to make every mother's son of them pay a dollar a year for that privilege.

The States are already taxing them for this privilege. bill proposes a duplication of laws. It piles a Federal law upon a State law. It produces duplication of agents to enforce the law. It produces a duplication of taxes in that it imposes a Federal tax upon a privilege already taxed by the States.

I am not opposed to the game refuge, but I am opposed to the provision of this bill, with which it is garnished, that this money shall be taken from the pockets of the men throughout this country who take a day off and go into the fields to hunt.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. PEERY. I regret I can not yield in the five minutes I have.

My proposition is this: Let the game refuges be bought, but let them be paid for just as we pay for the forest reserve land, and instead of sending Federal agents throughout the

country to see that these Federal laws are enforced, to see that no farmer's son has hunted a woodcock or a bullbat without a Federal license, let us leave that to the States and to State game wardens where such enforcement properly belongs, and let only the license provision apply to the area that is covered by the game refuge. [Applause.] In this way you will simplify the proposition. You will meet the demand for the establishment of game refuges. You will get away from the proposition that we are piling Federal laws upon State laws. The result is that wherever you have a duplication of law you will not have the enforcement of either law, and that is known to all of us. We should not pass a law that can not be enforced.

My good friend, the gentleman from Massachusetts [Mr. TREADWAY], said that this law can be enforced with 40 per cent of these license fees that are collected. Taking my own State, what is the situation there? We have a game warden for each county in the State of Virginia and there are 100 If you assume that these game wardens are paid a salary of \$1,000 a year, that means that in the State of Virginia the cost of enforcing the game laws in the employment of game wardens alone amounts to \$100,000 a year. If you extend this throughout all the States of the Union, you will have all of this fund taken up in the employment of game wardens and

in enforcing the law you are enacting here.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. LAGUARDIA. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. HAUGEN, Mr. Chairman—
The CHAIRMAN, For what purpose does the gentleman from Iowa rise?

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

Mr. DEAL. I object. I have an amendment to offer and I

want to speak upon it.
Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto be closed in 15 minutes. Is there objection?

There was no objection.

Mr. LaGUARDIA. Mr. Chairman, I am moved by conflicting emotions, as I follow the debate on this bill. First I am elated that all birds are to be protected and bird life of America is to be conserved, that grounds and refuges are to be provided for the birds, and then suddenly I am brought down to find that we are only feeding the birds and concentrating them on a refuge so that they may be more easily shot. I for one can not understand how it is possible to make a hunting ground out of refuges. The idea seems paradoxical to me. Mr. BLANTON. Will the gentleman yield? Mr. LAGUARDIA. No; I will not yield, because I think the

gentleman may ask me something in just one moment. What I do not understand exactly is, how it is that in the stress of the last few days of the session it is possible for the committee to obtain a rule for the special consideration of a bill of this kind. If the Rules Committee was in the temper and in the mood to ask the House to consider a bill for conservation, I personally would have preferred that they would have brought in a bill that would have conserved the childhood of the District of Columbia by bringing in a rule for the consideration of the rent bill.

Mr. BLANTON. The rent bill is as dead as Hector.

Mr. LAGUARDIA. The rent bill, after months of hearings, after having been recommended by the President of the United States, a bill which would have given a chance to some of the children in the District of Columbia who, by reason of the fact that such a large portion of the earnings of the family must be paid in rent, can not get sufficient neurishment. give these children a chance, gentlemen, would have been a conservation measure in the highest and noblest sense of the

Mr. SCHAFER. Will the gentleman yield?

Mr. LAGUARDIA. Yes. Mr. SCHAFER. Would it not stand a better chance if those in favor of monopoly would get behind the passage of the rent

Mr. BLANTON. The President of the United States is be-

hind it.

Mr. LaGUARDIA. I believe that nothing is more to be desired than the protection of the childhood of this country.

[Applause.] If one-tenth of the interest that has been dis-

played in the so-called conservation of bird life, which is only collecting birds to make it easier for them to be shot, the happiness of the childhood of the District of Columbia would be insured. I think that would be spending our time to better advantage than the conservation of birds. I sincerely hope that the District Committee will make the rent bill the first to be considered on the next District day, and, failing that, I hope the Committee on Rules will respond to the prayer of thousands and thousands of families in the District and give us an opportunity to vote on the President's rent bill.

Mr. McKEOWN. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

Page 7, at the end of line 24, add: "That applications for license may be received at any post office in the several States."

Mr. McKEOWN. Mr. Chairman, it is my opinion that the license of \$1 is going to rise and plague you more than any other part of the bill. I think that the people of the country will resent this license fee. But I am sure you will find that they resented the passage of the migratory bird law before the treaty was made. What I think is that you ought to take the money out of the Treasury of the United States and buy these grounds, pay for them, without levying a license on the people. But if you do insist on this dollar—and, as I say, that will be the one thing that will plague you-if you levy the license you will irritate and cause resentment on the part of If you the people throughout all sections of the country. insist on putting the \$1 license in you ought to adopt this amendment, because you give the man access to the license without a great deal of trouble. In other words, he can go to the post office and get his license. When a fellow goes out hunting he gets ready to go before he thinks of his license. Speaking from experience and observation, about the last thing he thinks of is getting the license.

Now, you ought to make it convenient if you are going to make a boy buy a license. Let him go to the post office, because that is the nearest agency, and it will save money for the Government. They can make their application to the postmaster to get a license. I do not think there ought to be a license; but if you make one, make it convenient for them to

get it.

Mr. McSWAIN. The gentleman says in his amendment, "may be received in any post office." Ought it not to read, Ought it not to read,

"received and issued by any post office"?

Mr. McKEOWN. I take it that if he makes application there he would receive his license there. But you ought by all means give him an opportunity to get a license as quickly as he can.

Mr. HILL of Maryland. Does the gentleman mean a pre-

scription or a license?

Mr. McKEOWN. I mean a license. We do not have prescriptions in Oklahoma. [Laughter.]

The CHAIRMAN. The question is on the amendment of-

fered by the gentleman from Oklahoma.

The question was taken, and the Chair announced the noes seemed to have it.
Mr. McKEOWN. Mr. Chairman, I demand a division; I

think we ought to have a rising vote.

The committee again divided; and there were—ayes 41, noes 38.

So the amendment was adopted.

Mr. DEAL. Mr. Chairman, I offer an amendment. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DEAL: Page 7, line 20, after the word "person," insert "other than the owner or member of his family while upon his own land."

Mr. ANTHONY. Mr. Chairman, may the Clerk report the amendment again, I did not catch the page or line.

The CHAIRMAN. Without objection the amendment will be again reported.

There was no objection.

The amendment was again reported.

Mr. DEAL. Mr. Chairman, this bill takes from the landowner an inherent right granted to him by the Constitution of the United States. It were better far that the entire feathered tribe should become extinct rather than that this principle should become extinct rather than that this principle should cease to exist. It was Mr. Madison, I believe, who said in the Constitutional Convention, and later while Secretary of State under Mr. Jefferson, that if our republican form of government should fall within itself it would be because of the usurpation of power by its legislative branch.

Mr. SNELL. Will the gentleman yield for a question?

Mr. DEAL. In just a moment. It seems that Congress has determined that it will encroach upon the personal and property rights of its citizens, that confiscation of property has become so common that we cease to treat it seriously any more. This bill is as sumptuary as any that has been enacted. Even the prohibition laws, with all of their viciousness and intolerance, have not got a thing on this bill, gentlemen. [Applause.] I yield to the gentleman from New York.

Mr. SNELL. I would like to ask the gentleman to say in a word just where the State right is taken away from a man, Any man must obey the game laws of a State and Nation on his own land. This law will in no way interfere with the

present law.

Mr. DEAL. It gives the Secretary of Agriculture the right to make rules and regulations concerning his own land after the State has given him a license.

Mr. SNELL. As I understand it, it in no wise interferes

with the laws in any individual State.

Mr. HILL of Maryland. But does it not also create another class of cases in which men can be tried for the same offense by the Federal Government as by the State government?

Mr. DEAL. Why, certainly it does. Mr. HUDSON. Mr. Chairman, I move to strike out section 10.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 7, line 17, strike out section 10.

Mr. HUDSON. Mr. Chairman and members of the committee, I make this motion not hoping that it will be carried because I assume it would not, because it might entirely wipe out the objects of the bill, but I offer it for this reason. Again and again I have said to my constituents that I would stand for any policy of conservation, and I stand for game refuges and for the protection of migratory birds. I stand for the conservation of all life, but I can not give my vote to a bill that creates another species of licenses, [Applause,] I understand this does not disturb our game laws within my State. We have a game warden to every county. We have one of the best conservation departments of any State, but this does create additional game wardens, this does create additional burdens, this does create additional expense upon the average citizen of the United States, and I can not in good conscience vote for it unless this license feature in some way can be striken out of this bill.

The CHAIRMAN. The time of the gentleman has expired,

all time has expired.

Mr. HUDSON. Mr. Chairman, I ask unanimous consent I

may proceed for three additional minutes.

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. HUDSON. Mr. Chairman, I am interested, as I said, in the matter of the conservation, and I had a great deal of sympathy with the gentleman from New York a moment ago when he said that we can take time on this piece of legislation, but somehow or other we can not have the time on this floor to consider the conservation of human life. Four hundred thousand employees of this Government have been knocking at the door of this Congress to conserve their lives in their old

age, but we can not get their consideration before this House.

Mr. SNELL. Will the gentleman tell me why the District Committee could not bring the rent legislation up in regular

order on Monday-

Mr. HUDSON. I am not talking about rent legislation. I am talking about the retirement bill. [Applause.] I want to repeat it again, so that it may go into the RECORD and back to my constituents that I want to preserve the natural resources of the country, but I do not want to vote to go on and on levying burdensome taxes on the people in this way.

Mr. TINCHER. Mr. Chairman, will the gentleman yield? Mr. HUDSON. Yes. Mr. TINCHER. In the ideal way of preserving your gan In the ideal way of preserving your game in Michigan that the gentleman speaks of you have no way of preventing them from migrating in the summer time?

Mr. HUDSON. No; I do not claim that. Mr. TINCHER. Are you going to British Columbia and prevent them from going there?

Mr. HUDSON. We have a treaty with Canada, and they

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia [Mr. Deal].

The question was taken, and the Chairman announced that

the ayes appeared to have it.

Mr. ANTHONY. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Kansas calls for a

The committee divided; and there were—ayes 36, noes 43.

Mr. DEAL. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded.

Tellers were ordered; and the Chairman appointed Mr. HAU-GEN and Mr. DEAL to act as tellers.

The committee again divided; and the tellers reported-ayes 48, noes 55.

So the amendment was rejected. The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. Hudson] striking out the section.

The question was taken, and the Chairman announced that

the noes appeared to have it.

Mr. HUDSON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 39, noes 61.

So the amendment was rejected. The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 11. That no person shall alter, change, loan, or transfer to another any license issued to him pursuant to this act, nor shall any person other than the one to whom it is issued use such license.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kentucky moves to

strike out the last word.

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, we have heard from the proponents of this bill that the purpose of it is to conserve the migratory birds of this country and Canada. The truth is that the purpose of it is to preserve these birds long enough to get them collected on these shooting grounds and game refuges so that the millionaire hunters can go there from miles away and kill them.

That is the purpose. [Applause.]

Yesterday my friend from Arkansas [Mr. Racon] said in his speech in advocacy of the bill that it can be enforced better by Federal officers than by State officers because the people are more afraid of the Federal officers and Federal courts than they are of the State officers and the State courts. I want to remind him of what might happen under this bill when some red-blooded Arkansas boy throws a stone at a woodpecker and happens to kill it. Some Federal officer of the law will swoop down on him, take him to the courts and punish him under the terms of this bill to the limit of the law, then he will appre-

ciate Federal authority contravening State authority Why, gentlemen, if you want a conservation bill, if you want something to protect the wild fowl of this country, why do you not establish refuges and make them inviolate, and make it a criminal offense for any man at any time to go in there and kill one of them? Instead of bothering the people throughout the country with the necessity of taking out a Federal license in order to secure money to defray the administrative expresses of the law to buy shooting grounds and refuges. trative expenses of the law, to buy shooting grounds and refuges, why not vote it out of the Treasury of the United States and establish these game refuges for the purpose of conserving the birds in this country and Canada by not permitting a gun to be

fired in these refuges?

The proponents of this bill are invoking more Federal power. This question of protecting the migratory birds is becoming so vital not only to this generation but to the generation to follow that we ought to create these game refuges and have a law efficiently enforced, and pay the expense out of the Federal

Treasury. You are not satisfied under the terms of this bill to establish public shooting grounds for the professional hunters, but after the refuges are established, the Secretary of Agriculture is empowered to turn these professional hunters into them. I call upon you to strike out that license fee. I would have you strike out the hunting-grounds provision and amend the law so that birds can not be shot on the game refuges. Only in that way will you preserve the wild fowl of this country.

Mr. BLANTON. Mr. Chairman, will the gentleman yield? Mr. KINCHELOE. Mr. Chairman, has my time expired?
The CHAIRMAN. It has not.
Mr. KINCHELOE. I yield to the gentleman.

Mr. BLANTON. If you were to do that, you could not find a corporal's guard who would support this bill. This is really not a conservation bill. This is a millionaire sportsman's bill.

[Applause.]
Mr. KINCHELOE. Exactly. I was trying to get a con-

servation bill out of it.

Mr. PEERY. Mr. Chairman, will the gentleman yield? Mr. KINCHELOE. Yes.

Mr. PEERY. Assume that 4,000,000 people will pay for a What percentage of them does the gentleman think would be able to go to these game refuges and shooting grounds?

Mr. KINCHELOE. That would depend on how many of them are rich enough to lose the time and to pay their expenses out there or go out there in their high-powered auto-

Mr. PEERY. Not one-tenth.

Mr. KINCHELOE. I do not think so.

Mr. DEAL. And behind this is a purpose also of controlling the public waters through the Secretary of Agriculture.

Mr. KINCHELOE. Oh, yes; everything will be controlled

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto close in

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto be closed in eight minutes. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Chairman and gentlemen of the committee, I ask you to read carefully section 11 of this bill. This section creates a new Federal crime. It creates a new Federal crime which, by a subsequent section, is punishable with a fine of \$500 or six months in jail, or both.

Let us read that section and see what this new Federal crime

I read:

That no person shall alter, change, loan, or transfer to another any license issued to him pursuant to this act, nor shall any person other than the one to whom it is issued use such license.

Now, gentlemen, you have got to keep some sort of balance of penalties in the Penal Code of the United States. When the laws were recodified and the present Penal Code was adopted the work was done very carefully.

Mr. WATKINS. Will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. WATKINS. Does the gentleman refer to section 12 or section 11?

Mr. HILL of Maryland. I am referring to section 11. I am moving to strike out section 11. I am glad the gentleman asked that question, and I will explain to the gentleman. If the gentleman will turn to page 10, section 16, he will find this language:

Any person who shall violate or fail to comply with any provision of sections 6 and 11 of this act shall be punished as is provided for in the migratory bird treaty act of July 3, 1918.

Now, section 6 of the migratory bird treaty act of July 3, 1918, imposes a penalty for the violation of that act or any regulation made under that act of six months' maximum im-

prisonment or a \$500 maximum fine, or both.

Now, to go back. When the Penal Code was adopted an attempt was made to put an even balance on violations of the Federal Penal Code. What are you doing here? You provide for the issuance of \$1 licenses, and then, if you shoot or attempt to shoot without a license, all you get is a \$5 fine for the first offense, payable to the Secretary of Agriculture. For a \$1 license the penalty is \$5 for violating the law, but if you loan your \$1 license to a friend, or if some one else uses the license you have leaned to him, he may get a \$500 fine, six months in jail, or both.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. Yes,

Mr. BLANTON. I thought the gentleman was in favor of

license laws and to make them as cheap as possible.

Mr. HILL of Maryland. It has interested me to see the gentleman from Texas standing on the floor of this House and finally have him unable to keep from bringing out his true standing as an able constitutional lawyer, because everything the gentleman has said to-day on the floor of this House is an argument against the eighteenth amendment and the Volstead Act, which I did not bring into the discussion.

Now, gentlemen, there is the situation. I should like to be able to vote for this bill, but I do not see how any Member of this House can vote for a bill that contains a penalty of \$500 or six months in jail, or both, for lending a man a \$1 license where the maximum penalty for doing that is \$5.

Mr. BLANTON. Will the gentleman from Maryland yield again?

Mr. HILL of Maryland. Yes.

Mr. BLANTON. Just because the Congress of the United States prescribes a penalty of so much in the way of a fine and a penalty of so many months in jail is no reason for arguing that everybody is going to be put in jail, is it? Some fellows

escape jail and they escape fines, do they not?

Mr. HILL of Maryland. Yes. I have noticed a great many people escape jail and fines who ought to be put in jail or pay fines during my course of practice as a United States attorney. But I do not see how that applies to this.

The rule by which Congress should pass a law is that they do not pass a damn-fool law expecting it not to be enforced. Congress should pass laws that have sufficient merit in them that the judges of the United States courts will consider the laws seriously and attempt to impose decent penalties.

Mr. RAGON. Will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. RAGON. The gentleman has several times said that the penalty under sections 6 and 11, if this law were enacted, prowided a fine of \$500 or six months in jail.

Mr. HILL of Maryland. Or both, as a maximum.

Mr. RAGON. Well, why has not the gentleman been stating that all the time?

Mr. HILL of Maryland. I intended to do so, and I think I have done so.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. HILL of Maryland. Mr. Chairman, may I have one

minute more?

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for one additional minute. there objection?

There was no objection.

Mr. HILL of Maryland. Nobody knows better than the gen-tleman from Texas [Mr. Blanton], who is an excellent lawyer, that the orderly procedure in criminal jurisprudence in this country is to do away with minimum jail sentences, because when you have minimum jail sentences the jury knows that if they convict a man he is going to jail, so they do not convict. I remember very well, as United States attorney, trying the president of a bank who should have gotten six months in jail, but under the law the minimum penalty was five years in the penitentiary and the jury would not convict the man because they knew he would get five years in the penitentiary, which the jury considered excessive. There is only one ra-tional method of applying penalties under the Federal law, and at the present time in most Federal criminal laws there is no minimum. If, in all I have said, I created the impression that there was a minimum, I withdraw the statement. It is a maximum penalty of a fine of \$500 or six months in jail or

both, in the discretion of the judge.

The CHAIRMAN. The time of the gentleman from Maryland has again expired. Did the Chair understand the gentleman from Maryland to offer an amendment striking out sec-

Mr. HILL of Maryland. Yes; I offered an amendment to

strike out section 11.
Mr. ANTHONY. Mr. Chairman, should the amendment offered by the gentleman from Maryland be adopted it would be a direct invitation to all the criminals of the country to at once engage in the counterfeiting of these licenses, because there would be no penalty for doing it.

Mr. HILL of Maryland. The gentleman is referring to section 12, while I have been referring to section 11.

Mr. ANTHONY. I am talking about section 11. It would be an invitation to everybody in the country to practice fraud upon the Government of the United States through the misuse of these licenses

Mr. HILL of Maryland. Will the gentleman yield?

Mr. ANTHONY. Yes.

I suggest that the distinguished Mr. HILL of Maryland. author of this bill read his bill.

Mr. ANTHONY. I am sorry I am not the author of this

Mr. HILL of Maryland. The gentleman is talking about section 12, which deals with counterfeiting, while I have moved to strike out section 11, which deals with something else.

Mr. ANTHONY. The gentleman protested here the other day against the severity of the penalty for counterfelting under The gentleman would like to so weaken this bill section 12. as to make it absolutely ineffective and would condone a fraud against the Government in the way of counterfeiting. I wish

against the Government in the way of counterfeiting. I wish
the gentleman would try to help us perfect the bill.

Mr. HILL of Maryland. I do not think that is a fair suggestion about my stand on the bill. However, I think the bill
ought to bear on its face what the true penalties are, so that
when Members of the House read the bill they will know what
the penalties are without having to go into the Library and get a couple of big tomes of the size of those on the table in

order to find out what the penalties are, which we have had to do with reference to this bill. It is a fundamental provision of criminal jurisprudence that the penalties for violation of any law must appear clearly and unquestionably in the particular law itself, and not be tucked away in another law passed years ago

The CHAIRMAN. The question is on agreeing to the amend-

ment offered by the gentleman from Maryland.

The amendment was rejected. The Clerk read as follows:

SEC. 12. That no person shall imitate or counterfeit any license authorized by this act, or any die, plate, or engraving therefor, or

make, print, knowingly use, sell, or have in his possession any such counterfeit license, die, plate, or engraving.

Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word.

Mr. HAUGEN. Will the gentleman yield?

Mr. HHLL of Maryland. Certainly.
Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in seven minutes.

Mr. HILL of Maryland. Mr. Chairman, I shall only take

two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Chairman and gentlemen, I simply want to call your attention to the fact that this section reads as follows:

That no person shall imitate or counterfeit any license authorized by this act, or any die, plate, or engraving therefor, or make, print, knowingly use, sell, or have in his possession any such counterfeit license, die, plate, or engraving.

The penalty imposed for the violation of this section, which creates a new Federal crime, is contained in camouflaged form in section 16 on page 10, and the penalty for counterfeiting a \$1 license is a maximum of five years in the penitentiary or a fine of \$500 or both. If you gentlemen want to vote for that, all right, I can not follow you.

Mr. WINTER. Will the gentleman yield? Mr. HILL of Maryland. Yes.

Mr. WINTER. Would not the gentleman's argument be just

as good against counterfeiting a one dollar bill?

Mr. HILL of Maryland. Gentlemen, I am not arguing the question of counterfeiting. I am asking that when you pass criminal law, why do you not put the penalty right where you set out the crime in the act and not camouflage it so that you have to go to some other book in order to know the penalty?

If you want to fill more Federal jails, you can do it, but do it openly. I call your attention to a news item from the St. Louis Post-Dispatch of February 18, 1925, which is as follows:

JAILS TOO CROWDED TO HOLD BOOTLEGGERS-" I'VE REACHED MY LIMIT," JUDGE FARIS SAYS IN LETTING THEM OFF WITH FINES

A policy of sending Volstead violators to jail instead of fining them has filled to capacity the jails at St. Charles, Union, and Warrenton. Mo.

In line with this policy, Federal Judge Faris yesterday sentenced six men to these jails and three others, convicted under old internal revenue laws, to Leavenworth Penitentiary. To-day, after sending three more to jail, it was learned there was no room for Jacob Kuluch, a second offender, who had pleaded guilty to a Volstead Act

"I am sorry I can't send you to jail," Judge Faris remarked to the defendant, "I've reached my limit. The jails are full, but perhaps you'll remember to obey this law in the future, aided by this re-

minder. I'll fine you \$800."

The Federal Court for the Eastern District of Missouri has five designated county or city jails to which prohibition violators may be committed. These are at St. Louis, St. Charles, Union, Warrenton, and Ironton. The St. Charles, Union, and Warrenton jails are filled to capacity, the Ironton jail is considered unsatisfactory, and the St. Louis jail is so crowded with other prisoners it has been requested that Federal prisoners be sent elsewhere.

Mr. MONTAGUE. Mr. Chairman, I move to strike out the last word. [Applause.]

Mr. Chairman, when this bill was before the House in 1923 I felt constrained to oppose it. I do not now discover within its terms any such changes as would justify a modification of the views and convictions I then entertained.

I will not enter upon the larger aspects of this bill. It has been suggested here that it is clearly within the constitutional authority of our Government by reason of the treaty with

Canada. I am willing to concede that it is within the authority of that instrument so far as the establishment of game refuges and the protection of game are concerned, but I resist the contention that the establishment of national shooting grounds is within the purview of the treaty with Canada or within our constitutional authority. But I leave that aside.

I am as much in favor of the conservation of the migratory game of America as any Member of this House. In a small way I have been a huntsman all my life; but when the amendment of the gentleman from California was voted down yesterday, an amendment which prohibited shooting of migratory game within and upon the refuges and sanctuaries where these birds are to rest to save their lives, then the mask was torn from this bill. It is evident that it was no longer the purpose to conserve game, but to destroy it, and to destroy it at the instance of the few who could take advantage of the special privileges given them by this bill. [Applause.]

A moment ago an amendment was offered that the United States should have some supervision of these privileges by covering into the Treasury the collection of fees provided for in the bill. But this was voted down. So we of this mighty Government must turn over to the so-called hunters of the country the powers of the Government, to be used by them not

for public purposes but for private advantages.

I, for one, can not subscribe to any such principle or practice. I concur with the gentleman from Kentucky. If you will write into this bill the establishment of refuges and provide that no one shall hunt or disturb these game sanctuaries, I will vote for the bill.

But it is said that the public shooting grounds are for the poor people of America. O Liberty, what crimes have been committed in thy name! How can the poor people of America get to these public shooting grounds?

Mr. McSWAIN. In steam yachts.
Mr. MONTAGUE. Steam yachts and private cars and automobiles. Every one of these game reserves, if adequate to meet the alleged purposes of this bill, is in an isolated community with a surrounding population of negligible numbers. Poor people! Their number within practical distance and communi-

cation with these hunting grounds, I repeat, is negligible.

Some gentleman yesterday explained that these great preserves are already taken up by people that move from zone to zone with the climate and the temperature. The poor man of America can not move from zone to zone to accommodate himself to the rise and fall of thermometers. He has no means. He can hardly hunt now with the present cost of shells and guns and State licenses. What will he do with the burden of Federal licenses or fees and drastic feudal regulations, with fines and imprisonment?

Se as earnestly in favor as any Member of this House for the preservation of the wild, migratory game, I submit that this bill in its administrative features gives extraordinary advantages, extraordinary privileges to the few, and will be administered by the few, and not by the 5,000,000 hunters referred to in debate. Those are simply paper figures. I feel like quoting Disraeli-"there are three sorts of lies; lies, damn lies, and statistics."

The CHAIRMAN. The time of the gentleman from Virginia has expired.

The Clerk read as follows:

SEC. 13. That in all necessary instances, for the purpose of carrying out the provisions of this act, the judges of the several courts established under the laws of the United States, United States commissioners, and persons appointed by the Secretary of Agriculture to enforce this act, shall have, with respect thereto, like powers and duties as are conferred by section 5 of the migratory bird treaty act upon said judges, commissioners, and employees of the Department of Agriculture appointed to enforce said treaty act. All birds or parts, nests or eggs, thereof taken or possessed contrary to this act or to any regulation made pursuant therete shall be disposed of in like manner as seized birds or parts, nests or eggs, thereof are disposed of under the provisions of section 5 of the migratory bird treaty act.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen, it might be well to take a minute to call attention to the fact that the march of Federal invasion goes steadily on. The setting up of so-called bird refuges over which men may hunt on buying a Federal license is just one more advance in the grand Federal movement which none of us seems able to stop. I am afraid we are being misled by the words of the title of the bill. The words "for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds" have an alluring fifle, and the public has been led to believe that protection of the birds is the main business of the bill.

But what are the next words of the title? Read them. say for the "establishment of public shooting grounds." other words, to authorize the shooting of migratory birds on the migratory-bird refuges. Ah, gentlemen, either the title needs to be amended or the bill needs to be amended.

A large part of the country west of the Missouri River is now in Federal reserve of one kind or another. Unless this bill is amended further than it has been any one of these reserves now in full control of the Federal Government and not controlled in any way by the States may have placed upon it as many of these so-called "cabins" as those who execute this law may desire to place there, regardless of the expense of the cabin. What is named here as a cabin may become a hunter's lodge in a forest reserve and not far from the forest ranger's house. What does the word "cabin" mean? It does not mean hut or shack. It means the place where the game-refuge keeper is to live—the master of the hunt, perhaps. And this is supposed to be a bill to give the nonclub hunter—the poor fellowa chance! He will find at the cabin, I am sure, the fine-booted, leather-coated, fancy hunter, to whom the \$1 for Federal license is nothing. Those who make and sell ammunition, powder, and guns seem to be responsible for a large part of the propaganda and promotion; and already, before this bill has become a law, the very men who are promoting this gamerefuge proposition in the name of saving the wild bird life of the country, which Emerson Hough said was a delusion and a sham—the very men who are creating this great propaganda by sending out circulars and agents, are beginning a propaganda to increase the number of birds which the hunter may kill; and all in the name of Federal control.

Oh, my friends, I live in the far Pacific Northwest. I am familiar with three great forest reserves. I have seen too many agents of the Federal Government lay the heavy hand of the law on some poor, ignerant homesteader who finds himself surrounded by Federal reserves. Only a couple of years ago saw the wife of an eastern Member of Congress arrested for picking a little worthless mosslike weed in a western park; and I have noticed during all the years I have been here, my friends, that whenever summer time comes and the playgrounds of the West are alluring, the Federal agents of every kind from Washington, D. C., are always with us out West. [Laugh-

ter and applause.]

Mr. McSWAIN. Mr. Chairman, I move to strike out the last word. Before I proceed I would like to ask a question of the gentleman from Kansas [Mr. ANTHONY], the author of the bill, who seems to know a great deal about these mat-ters—and I say it in perfect sincerity. It seems that the bill was introduced December, 1923, and reported favorably by the committee in May, 1924. Recently I have received two letters from the chief game warden of South Carolina, who confesses frankly that this will be a measure of great advantage to the sportsmen of the country, and said that there would be presented an amendment by the friends of the bill that would render it less obnoxious to some of us who still have some delu-sion about what we call "State rights." I want to ask my friend from Kansas if he has heard of this proposed amend-

Mr. ANTHONY. Yes; the provision is in the bill providing that no land shall be taken without the consent of the State. Mr. McSWAIN. But that was in the bill reported in May, 1924.

Mr. KINCHELOE. If the gentleman will allow me, although it is not closely related to his question, I want to say that 4f I get recognition I propose to offer an amendment to recommit which, if adopted, will forbid any hunting in these refuges and cut off the license fee of the bill.

Mr. McSWAIN. I can imagine the gentleman's amendment does not originate from the same source as the information of the game warden which I was discussing. What I want to know is who will offer the amendment. I wrote back and asked the game warden who it was, and he wrote that he did not know who was going to offer it. I have been looking for that amendment.

But now here is one I offered. Strike out this section 13. Why? Because this legislation can not add any force to that already existing in reference to the enforcement and existence of a treaty concerning migratory birds. Simply by repeating a law that is already on the statute books we can not add any force to it. But the purpose was this: To provide here that the employees of the Department of Agriculture appointed to enferce this act shall have the authority herein conferred and any person who violates the regulations to be made by the Department of Agriculture in regard to the enforcement of this act shall be subject to the fines, punishments, penalties, and forfeitures herein provided. Gentlemen, I think it is time for Congress to do the legislating and deny to any executive branch of this Government the right to make rules and regulations having the force of law. [Applause.] I remember a few years ago when we had the Texas fever tick law a client of mine came and asked if he might bring a cow out of Anderson to a butcher in Greenville, and I looked up the law. Of course, we had quite a difficult proposition then to find the law, for we did not then have any Federal compilation, and after a lot of study I told him I could not find any law to prevent it. Finally the fellow came to me and said that he had been indicted in a Federal court. And he was indicted for what? For violating a regulation of the Department of Agriculture that set up an arbitrary geographical line or division between those two counties, and there was no lawyer under the sun who had constructive knowledge of what was contained in a private regulation by the bureau. Liberty means a chance to know the laws by which we are bound to live and act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Mr. Chairman, one reason why I want to speak is that I could not attend to any business in my office because I was being bombarded by telegrams from my good political friends at home urging me to support their pet measure. I dictated a form answer to every one of them and I myself got away and came over here and desire to say these few words before voting against it. O gentlemen, this bill is a mere incident. You may be deceived about it; I am not. A whole lot of good people will vote for it who believe it is all right. But the basis of my objection does not go to this little bill itself. It is the underlying philosophy of it that is vicious, gentlemen, just a mere incident in the accumulated processes that are going on to destroy our dual system of government. We heard some strange doctrines yesterday and the last day or two.

A few weeks ago I sat in New York City at a lawyers' banquet and heard one of the great lawyers of this Nation lay down the proposition that the Constitution of the United States authorized what he called quasi legislative powers of the Supreme Court, and to my surprise I saw the leading lawyers of that great city applaud the gentleman. He was ex-Senator Beveridge. And yesterday we had a strange doctrine from one of the ablest young men who ever came to this House. He is a brilliant idealist, but a Hamiltonian; I am a Jeffersonian: that is the difference. But all the cocksureness in the world can not sweep aside as a mere quibble the objection. He said, what has the State got to do with anything in a treaty of the United States with a foreign nation? Well, just what is this Government, what is this country, what are the States? Are they mere paper shells? No, gentlemen, the States are the great aggregation of units of citizens who granted to this Federal Government-mind you, granted-certain powers and no others and reserved the remainder to themselves and to the States. I will tell you what the States are. They are the reservoir of power, and, gentlemen, one of the vicious features of the bill is that when you started to do directly what you do in this bill the courts said you could not do it, and then you resorted to a subterfuge and had a treaty with a foreign nation, and because the Constitution makes a treaty the supreme law of the land then you think you can come in here and by indirection can swing onto the coattails of a treaty an inherent right of the Federal Government, of course, and propose to do things that absorb, override, and destroy the inherent reserved powers of the people represented by their local State organizations. Ah, yes, gentlemen, you will pass your bill. I have committed many mistakes in the 10 years I have been upon this floor, but I made a promise at the beginning of this session that, so help me God, so far as I had political courage during the short time left to me in my public service, I would try to resist the temptation and the importunity to destroy the philosophy of our Government by continually adding Federal bureau on top of Federal bureau and centralizing power here in a bureaucratic government. ernment in Washington. [Applause.]

It is coming. Doubtless I will not see it fully developed in my day, but our children will suffer from it. The duty of a public man is to care not merely for things that concern his own generation, but to hand down to his children, unimpaired, the great free institutions that we have had handed down to us and which we enjoy. Gentlemen, graft, indifference, contempt of law follow in the footsteps of every one of these movements that creates a new bureau in the city of Washington.

Gentlemen, you sow the wind, and you will reap the whirl-

Gentlemen, you sow the wind, and you will reap the whirtwind; and the whirtwind of this kind of sowing will be bureaucracy, with resulting fraud, inefficiency, indifference to the public interest, and corruption in public affairs. [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. SCHAFER. Mr. Chairman, I rise to ask some one of the proponents of this measure if it is possible for regulations to be issued that will make it possible for people to hunt or shoot within the confines of an established game refuge?

Mr. ANTHONY. What is the gentleman's question?
Mr. SCHAFER. I ask whether the father of this bill believes that, under the law, regulations can be adopted that will permit shooting within the confines of a game refuge?

Mr. ANTHONY. I do not catch the point of the gentleman's question.

Mr. SCHAFER. Whether, if a game refuge is established under this bill, it will be possible that regulations might be made which will permit hunters to hunt within the confines

of what is called a game refuge?

Mr. ANTHONY. Yes. The present law now permits the Department of Agriculture to issue regulations under which migratory birds may be shot, and they do issue such regulations, and undoubtedly in certain instances, where the nature of the refuge is such as to permit hunting during the season, shooting could be done. But in very many cases the refuges will be called "sanctuaries," where no shooting will be permitted. It was thought better to leave it finally in the discretion of this commission, composed of the Secretary of Commerce and the Postmaster General and the Secretary of Agriculture, to decide where the shooting could be done and where it could not be done, knowing that these gentlemen would exercise intelligence in making the regulations.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 14. That in order to pay initial expenses, including purchases of supplies, printing and distributing of licenses, circulars, posters, and other necessary matter, and all other expenses that may be necessary to carry into effect the provisions of this act, the sum of \$50,000 is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available, upon the passage and approval of this act until expended, which sum shall be covered into the Treasury in five equal annual payments from the migratory-bird protection fund.

With a committee amendment, as follows:

Page 9, line 4, after the word "hereby," insert the words "authorized to be."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word

The CHAIRMAN. The gentleman from Alabama moves to strike out the last word.

Mr. HUDDLESTON. Mr. Chairman, "migratory bird" legislation has had an interesting history in Congress. It was fathered originally by certain clubs of wealthy sportsmen, who induced Congress some 15 years ago to pass a migratory bird law. That law was stricken down by the courts as an unconstitutional invasion of the police powers of the States.

Thereupon, for the deliberate purpose of evading the Constitution and doing by indirection that which the Constitution prohibited to be done directly, the same interests induced our Government to enter into "the migratory bird treaty" with Great Britain; and thereafter the treaty having been ratified, they again came before the House Committee on Foreign Affairs and caused that committee to report out a migratory bird act, which was passed by Congress and has been held by the courts to be the legitimate exercise of the power of Congress to pass laws to enforce treaties. They evaded the Constitution, ravished its spirit, and accomplished by indirection what they were not permitted by the Constitution to do directly.

At the time they were carrying on this agitation the elements pressing for action professed that their concern was with the song birds only; they spoke poetic and beautiful speeches about the feathered songsters. I remember that one of my best loved friends, who I am most happy to say is yet a Member of the House, supported that bill with a wonderful speech about the glory of the mocking birds and other songsters. In the burst of sentiment which that speech evoked the House passed—only a few feeble voices like my own being raised in protest against it—the House passed the migratory bird act to enforce the treaty and presumptively to protect the songsters.

Now, we find that these same elements that brought forward for the original bill and then caused our Government to negotiate a treaty for the deliberate purpose of evading the Constitution—we find that they now come back here with a bill, which is at least frank enough in its purpose, which is to afford them a place to shoot game. They now come out from under their cover and disclose their true purpose. Their spirit is that of

the sixteenth century English squire who would hang a peasant for snaring a rabbit for his dinner, not because of mercy for the rabbit and to save him but because his lordship wanted to kill the rabbit himself. This bill is not for the protection of birds; its real purpose is for the protection of bird hunters. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

SEC. 15. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Mr. MONTAGUE. Mr. Chairman, I move to strike out section 15, and I beg the indulgence of the House for a moment

upon an unrelated line of thought.

Section 15 is a useless piece of verbiage. It simply embodies a canon of construction adopted by the Supreme Court and by every court of every State since the beginning of our Republic in determining when a law is constitutional or unconstitutional. For some six years, in the two committees of which I have been a member, I have protested that the inclusion in bills of such a canon of construction had no possible compulsory effect upon the courts of our country and had but one meaning, and one meaning alone, namely, an implied and gratuitous criticism of the American judiciary, and a criticism, if you please, from the legislative department of another independent and separate

department, the judiciary.

No court in declaring a law unconstitutional will do so unless it declares and preserves the constitutionality of the residue of the statute, unless the unconstitutional portion of the bill is inextricably and inseparably interwoven with the entire bill and the divisibility or separation is impossible. That is the elementary and fundamental rule of construction. Yet we use-lessly, dangerously—and I am not criticizing this section any more than other similar sections-have gotten into the habit, through our drafting committee, of attaching a rider of construction on almost every bill, which is a direct and gratuitous reflection upon the judiciary of this country, and thereby we American legislators are helping build an unjustifiable sentiment against the judiciary, the last bulwark of American institutions.

I submit, gentlemen, it is unnecessary; and is utterly futile in that it is a declaration or rule of construction adopted by every court, and no legislative declaration or gratuitous expression of compulsion is needed by the courts to aid them in constructing laws. It seems to me that we, as responsible Members of a legislative body, should at least repress unnecessary and unwarranted criticisms of our courts. No court desires to declare enactments of Congress invalid, and when they unwillingly do so, it is their function, and not that of the Congress, to say what and how much of a given law is unconstitu-tional. It is wholly beyond our authority or power to give such direction. It is the court's business and not our business. [Applause.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. Montague: Page 9, line 9, strike out all of section 15.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. Anthony) there were—ayes 61, noes 45. So the amendment was agreed to.

Mr. TYDINGS rose.

The CHAIRMAN. For what purpose does the gentleman from Maryland rise?

Mr. TYDINGS. Mr. Chairman, I rise for the purpose of

suggesting the absence of a quorum.

The CHAIRMAN. The vote just taken has shown the prescree of a quorum. The Clerk will read.

The Clerk read as follows:

SEC. 16. That any person, association, partnership, trust, or corporation who shall violate any of the provisions of section 13 of this act shall be subject to the penalties prescribed by section 210 of the Criminal Code of the United States; and any person, association, partnership, trust, or corporation who shall violate or fail to comply with any provision of this act or with any regulation made pursuant to this act shall be subject to the penalties prescribed by the migratory bird treaty act (act of July 3, 1918, 40 Stat. L. p. 755).

With the following committee amendment:

Strike out all of section 16 and insert the following:

"SEC. 16. That any person, association, partnership, trust, or corporation who shall violate any of the provisions of section 12 of this act shall be punished as is provided for in section 219 of the act of March 4, 1909, entitled 'An act to codify, revise, and amend the Penal Laws of the United States'; any person who shall violate or fail to comply with any provision of sections 6 and 11 of this act shall be punished as is provided for in the migratory bird treaty act of July 3, 1918; and any person who shall violate or fail to comply with any other provision of this act shall be liable to the United States in the sum of \$5 for the first violation and in the sum of \$25 for each subsequent violation, to be collected in a civil action in the name of the United States: Provided, however, That any person desiring to relieve himself from such action may pay such sum to the Secretary of Agriculture under such regulations as he may prescribe, and said Secretary is authorized to mitigate or remit the liability hereby created, and the gun or other firearm carried or used by such person shall be liable for the payment of the aforesaid sum and may be seized by any United States game warden or deputy game warden to be held until said liability is discharged, whereupon it shall be forthwith returned to such person."

Mr. HILL of Maryland. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. Hill of Maryland: Page 10, line 5, after the words "shall be," strike out the words "punished as is provided for in section 219 of the act of March 4, 1909, entitled 'An act to codify, revise, and amend the penal laws of the United States,'" and insert in lieu thereof the following: "Fined not more than \$500 or imprisoned not more than five years, or both.'

Mr. HILL of Maryland. Mr. Chairman, I ask that the other amendment which I sent to the Clerk's desk be read for the information of the House. If the first amendment is adopted, I shall offer the second amendment, but if the House does not want the first amendment, it is needless to offer the second amendment.

The CHAIRMAN. Without objection, the Clerk will report the second amendment for the information of the House.

There was no objection. The Clerk read as follows:

Amendment to the committee amendment offered by Mr. HILL of Maryland: On page 10, line 10, after the words "shall be," strike out "punished as is provided for in the migratory bird treaty act of July 3, 1918," and insert "fined not more than \$500 or be imprisoned not more than six months, or both."

Mr. HILL of Maryland. Mr. Chairman and gentlemen of the House, I expect to vote against this bill, but I think you who propose to pass this bill should make the bill clear on its face. What I am proposing by these two amendments is not to change the bill but to make the bill tell the truth in section 16 what the penalty is and not make it necessary for any person or any prosecuting officer to leave the act which you are about to pass and go to some other law to find out what it means and to go to the migratory bird act to find out what the penalties are. What I am asking you to do is simply to substitute for the reference to a penalty in another law just exactly what the penalty is under the law you are discussing.

Mr. BLANTON. It will not change the law at all?

Mr. HILL of Maryland. It does not change the law at all, but my proposed amendments clearly state what the penalty is and make it appear on the face of the act.

Mr. WATKINS. Will the gentleman yield?

Mr. HILL of Maryland. Yes; with pleasure. Mr. WATKINS. Would not that prevent many Members here from voting for it because it would show the harshness

Mr. HILL of Maryland. I agree with the gentleman, and I am glad he asked that question. I asked some of the proponents of this bill whether the severe Federal penalties had been removed; they told me—I do not mean the Members in the House, but people outside of the House-that they had been

Now, in section 16 you find the only stated penalty that is given is a \$5 fine for the first offense, but you also find two camouflaged penalties, one of a maximum of five years in a penitentiary and the other six months in jail, a fine of \$500, or both. Now, gentlemen, in ordinary fairness to this House and in ordinary decency toward the possible violators of this law,

if you pass it, I suggest that you let this law bear on its face what the penalties are. Why, gentlemen, it might be possible that another great body might pass it without taking the trouble to look up the penalties in the two acts referred to. Let us make the proposed law honest on its face; let us make it state in itself, and not by reference, what the criminal penalties are.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. HILL].

The amendment was agreed to.

Mr. HILL of Maryland. Mr. Chairman, I offer another amendment to the committee amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Hill of Maryland to the committee amendment: On page 10, line 10, after the words "shall be," strike out "punished as is provided for in the migratory bird treaty act of July 3, 1918," and insert in lieu thereof the following: "Fined not more than \$500 or be imprisoned not more than six months, or both."

The amendment was adopted.

Mr. McSWAIN. Mr. Chairman, I have an amendment, which I send to the desk.

The CHAIRMAN. The gentleman from South Carolina of-fers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McSwain to the committee amendment: On page 10, line 20, after the word "created," strike out the remainder of line 20, all of lines 21, 22, 23, 24, and 25.

Mr. McSWAIN. Mr. Chairman and gentlemen, while we are passing this bill ostensibly to conserve bird life, we certainly ought not to include in it a provision that is certain to result in the destruction of a large amount of human life. Now, why?

Under section 13 somebody is going to be appointed as an "employee of the Department of Agriculture" as deputy game warden to enforce it. Who is that going to be? First of all, it is going to be the keeper of the lodge or the local resident of the cabin. That is already the case in some States, and in one little State I know, they at one time had over 500 deputy game wardens in that State, so that a man could not find a good hole to fish himself because the game wardens had got there first, and he could not find a good place to shoot because the game wardens had already been there and killed everything. [Applause.] That may be the case under this bill. So that when here comes an innocent countryman who maybe has got a flivver, and here comes this other man, caretaker of a hunting lodge, walking across the country, the private citizen may have his license hid in his pocket.

The bill does not say he shall wear it on the outside of his hat, but provides that anybody who has the authority to demand it, shall be entitled to see the license. This other fellow has got his license hid in his pocket, but he claims this authority because he has concealed somewhere back yonder a commission as deputy game warden, and he walks up to this poor, little country fellow and says, "Look here, what are you doing out here at this season of the year, or on this particular You are violating Federal regulations. Give me that gun." Then he tries to take it away from him, and let me tell you that these poor fellows that ride around in Ford cars have got a little American manhood left, and be darned, if they don't use that old musket and they will shoot the liver

out of somebody. [Laughter and applause.]

Now, that is fair talk. Who won the World War? Who do the shooting at the country's enemies? Alvin York, of Tennessee, is one of these fellows that go out on Christmas Day and train their old muzzzle-loading rifles and learn how to shoot by shooting turkey heads off as they stuck out of a hole in the top of a box. Alvin York and his crowd are the fellows that are going to want to hunt, and when some pompous, bebooted and leather-coated, dignified gentleman walks up and says, "Give me that rifle," he is going to get the load in the rifle. [Laughter and applause.]

Mr. WATKINS. Mr. Chairman, I move to strike out the

paragraph.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on the section and all amendments thereto close

Mr. HILL of Maryland. Mr. Chairman, reserving the right to object, I desire to offer for consideration, without debate, the transfer of the penalties contained in section 6 from the six months' class to the \$5 class. If I may have that opportunity, I shall not object.

The CHAIRMAN. The gentleman may submit his amend-

The gentleman from Iowa asks unanimous consent that all debate on the pending section and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Chairman, I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. Garrett of Tennessee) there were-73 ayes, 80 noes.

So the committee refused to rise.

Mr. WATKINS. Mr. Chairman, I hazard the assertion that everyone in this House believes in the conservation of game and the protection of migratory birds. The differences here are not on those propositions. I question whether anyone who understands the bill and has gone into it to any degree can support it. This bill has been discussed from various angles; therefore, I shall only mention two phases. circuity by which its constitutionality has been obtained, if in fact obtained, is enough to damn it in the eyes of frank and

This bill has but one paramount object in view-the protection of migratory birds. That is the main proposition. But you are not, in fact, doing that because you provide in this bill for the hunting on the migratory-bird refuges of the very birds that you are trying to protect. Now, if you want to protect game life, if you want to protect the migratory birds simply say that no hunting shall be done on these protected lands and you will get everybody here to support this bill. [Applause.] Furthermore, as pointed out by my colleague [Mr. Sinnorr] section 3 taken in conjunction with the act of 1888 confers on the Secretary the right of eminent domain. That is bad.

Mr. JOHNSON of Washington. Will the gentleman yield? Mr. WATKINS. Later on I will be glad to yield, but not right now.

This measure, if enacted into law, will militate against the efficiency of the State game commissions; it will divide responsibility of State and Federal Governments; it will cause multiplication of officeholders, increase of taxation, duplication of authority, and extra and useless expenses to the sportsmen of this country. It means another commission, more bu-reaus, and additional bureaucrats. Furthermore, the bill is too indefinite-too vague. In fact, too large a proportion of the money goes for overhead instead of for bird refuges.

The real object to be accomplished by this bill is to provide a market for the sale of a lot of worthless real estate in this country. That is the real joker in the bill. Many interests have low, worthless bottom lands, absolutely worthless, and are trying to get a bill passed by Congress so that later they

may dump this land on the Government.

Now, I say to you that if you believe in the conservation of game, animals and birds, vote for an amendment that is going to be offered to prohibit hunting on all these grounds, and you will get the unanimous vote of the House, because in the West, as everywhere, we believe in the conservation of game. We do not propose, however, to allow you to establish at the expense of the Government hunting grounds for professional politicians and provide a market for worthless real estate. Unless the amendment is adopted, I hope that you will recommit the measure and later enact a bill that not only in theory but in fact insures conservation of wild game.

Mr. WINTER. Will the gentleman yield?

Mr. WATKINS. Yes. Mr. WINTER. I suppose the gentleman believes it is possible to conserve the forests and cut timber for a part of the

Mr. WATKINS. Yes; I do. Mr. WINTER. Why is it not possible to conserve the game

and kill a part of it in the season?

Mr. WATKINS. There is a monumental difference between the two. I have not the time to point out the distinction, but merely to state the gentleman's proposition produces sufficient distinction.

There is another section of the bill warranting its defeat. I refer to section 12, which carries a penalty that will send a man to the penitentiary for five years and a fine of \$500 for the least infraction thereof. Furthermore, sections 6 and 11 carry punishment of a fine of \$500 and six months in jail. That is absurd; penalties of that nature for the offenses named spell nonenforcement and contempt. [Applause.]

The CHAIRMAN. The time of the gentleman from Oregon has expired

Mr. McSWAIN. Mr. Chairman, I offer the following amend-

The Clerk read as follows:

Page 10, line 20, after the word "created" strike out the remainder of line 20, and lines 21, 22, 23, and 25.

The CHAIRMAN. The question is on the amendment. The question was taken; and on a division (demanded by Mr. McSwain) there were-54 ayes, 59 noes.

So the amendment was rejected.

Mr. HILL of Maryland. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, line 9, after the word "of" strike out the words "section 6" and insert the word "section."

The CHAIRMAN. The question is on the amendment. The question was taken; and on a division (demanded by Mr. Anthony) there were—63 ayes, 66 noes.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer an amendment to strike out all of the bill after the enacting clause, and I ask to be recognized. That is just like any other amendment.

The CHAIRMAN. Amendments to the section in ques-

Mr. BLANTON. I ask recognition on my amendment for

The CHAIRMAN. Amendments to this section are now in process of voting, and all debate upon this section has been

Mr. BLANTON. I realize I am in error.

The CHAIRMAN. The amendment is not subject to debate.

Mr. BLANTON. I insist on my motion to strike out all
of the bill after the enacting clause without debate.

The CHAIRMAN. That amendment is not in order at this

moment.

Mr. BLANTON. That is a preferential amendment next in preference to a motion to strike out the enacting clause. That is in order at any time after the first section has been read, and it has been so held.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. RAKER. It is this: There is already pending a motion to strike out all after the enacting clause.

Mr. BLANTON. No; the motion heretofore made was to

strike out the enacting clause.

Mr. RAKER. Strike out all after the enacting clause, which

has been defeated.

Mr. BLANTON. No; that was to strike out the enacting clause; but this is a different matter, and it is to strike out all after the enacting clause, an entirely different motion.

The CHAIRMAN. Did the gentleman submit any matter in place of that which is to be stricken out after the enacting

clause?

Mr. BLANTON. Mr. Chairman, it has been held by numerous Chairmen in the Committee of the Whole House on the state of the Union that a motion to strike out the enacting clause is admissible at any time as a preferential motion. It has also been held a motion to strike out all after the enacting clause is not a preferential motion as against a perfecting amendment, but when all the perfecting amendments to a paragraph under consideration are exhausted then a motion to strike out all after the enacting clause is admissible at any time in the Committee of the Whole House on the state of the Union after the first section has been read.

The CHAIRMAN. Two sections of the bill remain to be

The CHAIRMAN. read, and therefore it can not be held that the bill has been

perfected.

Mr. GARRETT of Tennessee. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 72, noes 99.

So the motion was rejected.

The CHAIRMAN. The question is on the committee amend-

ment as amended.

Mr. BLANTON. Did the Chair rule the motion to strike out all after the enacting clause is not in order until all the bill

The CHAIRMAN. It certainly is not in order until all the bill has been read. Whether it is then in order is a bridge the Chair will cross when he comes to it.

Mr. BLANTON. I will not appeal from the Chair, because I think too much of him.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was adopted. The Clerk read as follows:

SEC. 17. That for the purposes of this act the word "take" shall be construed to mean pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.

Mr. RAKER. Mr. Chairman, I offer the following amend-

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 11, after line 4, add a new section as follows:

"SEC. 17. Nothing in this act shall be construed as authorizing or empowering the Migratory Bird Refuge Commission herein created, the Secretary of Agriculture or any other bird commission, or officer, to declare, withdraw or determine, except as heretofore designated, any part of any national forest, national park or power site, a migratory game bird refuge or public shooting ground under any of the provisions of this act except by and with the consent of the legislature of the State wherein such area is located."

Mr. ANTHONY. Will the gentleman yield? Mr. RAKER. I will.

Mr. ANTHONY. Would the gentleman consent to change his amendment so it would leave off this language "except by and with the consent of the legislature of the State wherein such area is located "? I suggest that for this reason, that it confers authority on the legislature in the disposition of land owned by the Government, and I think the language ahead of that accomplishes the purpose of the gentleman.

Mr. RAKER. No; it will not, it will help the gentleman's

Mr. ANTHONY. I agree in substance, I think.

Mr. RAKER. The gentleman has no objection to the amendment as it is?

Mr. ANTHONY. I shall make no objection.

Mr. RAKER. Then I will not take any time. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, the Fish and Game Commission of California has been doing exceptionally fine work in regard to preserving wild life in the State of California. This is the consensus of opinion of the people of California who are be-hind the fish and game commission and their work almost to a

On July 10, 1922, Mr. F. M. Newbert, president Fish and Game Commission of California, wrote me as follows:

Hon. JOHN E. RAKER, M. C.

House of Representatives, Washington, D. C.

DEAR SENATOR RAKER: I wish to acknowledge receipt of your letter of July 1, and thank you for the consideration you are giving this vital subject.

While California sportsmen and this commission have no objection to the migratory bird treaty act, or the regulations of the imposition of a Federal license to hunt migratory water fowl, we do most strenuously object to any regulations or control of wild animals, fish, and birds, other than migratory birds, or any areas, no matter how they may be acquired.

California has fought an uphill fight for game conservation for many years, and we are now at the peak of our success. We have accomplished this without any Federal aid or assistance. We have enforced the migratory bird treaty act, made it respected, and put it on a par with our State laws. The Federal control of birds, game animals, and fish is but the entering wedge of Federal control. California sportsmen say "hands off."

I am inclosing herewith a copy of the House bill with the objectionable features marked out.

The inclosed picture, taken by one of our wardens, is a small band of antelope ranging on the portion of California which you represent. These animals were on the verge of extinction. In fact, so much so, that only 11 remained. As an example of our conservation work of recent years, you no doubt will be pleased to note the wonderful increase in the numbers of this valuable animal.

Very sincerely yours,

FISH AND GAME COMMISSION. F. M. NEWBERT, President.

On May 29, 1922, Mr. Newbert, president of the Fish and Game Commission of California, telegraphed me as follows:

House of Representatives, Washington, D. C .:

California supported Anthony bill House 5823 entirely upon promised amendments eliminating interference with State wild life conservation instead of which bill amended to work worse confusion and destroy separate sportsmen's license contributions which they will resent bitterly when realized, thereby forcing our active opposition. Letter follows

CALIFORNIA FISH AND GAME COMMISSION, F. M. NEWBERT, President.

It will be noted that Mr. Newbert has had an interview with the various Government officials regarding the migratory bird refuges, and they have agreed to accept amendments thereto.

On February 28, 1924, the California State Fish, Game, and Forest Protective League, W. T. Wallace, secretary, wrote me as follows:

Hon. JOHN RAKER,

House of Representatives, Washington, D. C.

DEAR SIR: Representing through our affiliated clubs and individual members some 15,000 fishermen and hunters of this State, we urge you to use your influence and also your support of H. R. 745, commonly known as the public shooting ground refuge bill.

The proposed bill will effectively preserve our migratory game, which is threatened with destruction because of drainage projects the country over, and the proposed bill will also preserve the American system of free shooting for rich and poor alike.

This is a very popular bill with the outdoor men and women of this State, and in case the bill is in danger we would ask that you step out in front and argue and urge the passage of the same.

Yours respectfully,

CALIFORNIA FISH, GAME, AND FOREST PROTECTIVE LEAGUE, W. T. WALLACE, Secretary.

On February 14, 1924, Mr. F. M. Newbert, of the California Fish and Game Commission, wrote me as follows regarding H. R. 745:

Hon. JOHN E. RAKER,

Washington, D. C.

MY DEAR MR. RAKER: The migratory bird treaty covenant and regulations between the United States and Great Britain for the protection of migratory birds in the United States and Canada concluded August 16, 1916, has since its enactment proven to be one of the greatest conservation measures ever passed. It directly and favorably effects every section in every State in which wild water fowl is present.

The early opposition by the several States to the taking over of the enstedy and care of migratory birds, we believe, has passed. The correlation and standardizing of bag limits in the United States, the establishment of seasons for the taking of waterfowl commensurate with the proper and safe periods for the taking, has proven the wisdom of the treaty.

We are sure the proposed game refuge public shooting grounds bill as provided in H. R. 745 will, by reason of the purpose of public-shooting grounds, be of even greater benefit to a larger number of unattached hunters and sportsmen, who are not so fortunate as to acquire a membership in a shooting club. Also it will provide a sanctuary for waterfowl where they are immune at all times from molestation.

California Fish and Game Commission at a regular meeting held in Sacramento indorsed H. R. 745 in its entirety and now requests that California Representatives in Congress assist in the passage of this bill that it considers the most vital measure affecting wild waterfowl.

Very truly yours,

FISH AND GAME COMMISSION. F. M. NEWBERT, President.

On January 9, 1925, received the following letter from Mr. F. M. Newbert, president Fish and Game Commission of California:

JANUARY 9, 1925.

Hon John E. RAKER,

Member of Congress, Washington, D. C.

My Dear Mr. Raker: The Federal migratory game bird refuge public sheeting grounds bill (S. 2913; H. R. 745), now pending in Congress, has for its purpose the strengthening of the Federal game warden service and the further protection of the migratory-game birds under the jurisdiction of the Secretary of Agriculture.

There is, however, one thing that should be guarded against in all such legislation, and that is the unwarranted and unauthorized or arbitrary regulations of some Cabinet officer of matters and things not originally intended to be covered by such a law.

We have in California, as you know, nearly 19,000,000 acres of Federal-owned national forest land the timber, mineral, and grazing resources of which are administered by the Secretary of Agriculture.

To guard against the possible withdrawal under this bill by some future Secretary of all such territory as public shooting grounds, and thus eliminate the control of the State over the game therein. I suggest that the bill be amended by adding thereto another section, to be numbered 19, as follows:

"SEC. 19. Nothing in this act shall be construed as authorizing or empowering the migratory bird refuge commission herein created, the Secretary of Agriculture, or any other board, to declare any national forest, national park, or power site a migratory game-bird refuge or public sheoting ground under any of the provisions of the act, except by and with the consent of the legislature of the State wherein such area is located."

I trust that you may be able to have the proposed measure so amended as this will fully safeguard the State's rights as to game non-migratory in character.

With best wishes for your continued success, I am,

Yours very truly,

FISH AND GAME COMMISSION. F. M. NEWBERT, President.

Again on January 28, 1925, I received the following telegram from Mr. Newbert:

SACRAMENTO, CALIF., January 28, 1925.

JOHN E. RAKER,

House of Representatives, Washington, D. C .:

The California Fish and Game Commission is for bill S. 2913, H. R. 745, when amended, according to letter mailed you January & We believe it will benefit California greatly in the increase of migratory bird life.

F. M NEWBERT.

President California Fish and Came Commission.

On February 9, 1925, I received the following telegram from Mr. Newbert, California Fish and Game Commission:

SACRAMENTO, CALIF., February 9, 1925.

Hon. JOHN E. RAKER,

House of Representatives, Washington, D. C .:

Your full support of migratory game refuge bill, with addition of section 19 as amendment, is earnestly requested. State's rights are fully protected with addition of this section.

F. M. NEWBERT,

President California Fish and Game Commission.

On February 14, 1925, I wrote to Dr. E. W. Nelson, biologist, and Chief. Bureau of Biological Survey, Washington, D. C., as follows:

FEBRUARY 14, 1925.

Dr. E. W. NELSON,

Biologist and Chief, Bureau of Biological Survey,

Washington, D. C.

In re H. R. 745, migratory game refuge bill.

MY DEAR DOCTOR NELSON: Referring to the above-named bill, I have had considerable correspondence with the Hon. Frank M. Newbert, president California Fish and Game Commission, and have also taken up the matter personally several times with Doctor Fisher, of your department.

Mr. Newbert is in favor of the migratory bird refuge bill and he voices the sentiment of the Fish and Game Commission of California, and, as I gather it, the great majority of the people of California, and particularly the public-land States, which are for the bill providing the bill be amended. The amendment suggested and most earnestly desired is as follows:

"On page 11, after line 8, of H. R. 745, a new section, to be known as section 19, as follows:

"'SEC. 19. Nothing in this act shall be construed as authorizing or empowering the migratory bird refuge commission herein created, the Secretary of Agriculture, or any other board, commission, or officer to declare, withdraw, or determine any part of any national forest, national park, or power site, a migratory game bird refuge or public shooting ground under any of the provisions of the act, except by and with the consent of the legislature of the State wherein such area is located.'"

Mr. Newbert writes me under date of January 9, 1925, as follows: "The Federal migratory game bird refuge-shooting ground bill (S. 2913, H. R. 745) new pending in Congress has for its purpose the strengthening of the Federal game warden service and the further protection of the migratory game birds under the jurisdiction of the Secretary of Agriculture."

"There is, however, one thing that should be guarded against in all such legislation, and that is the unwarranted and unauthorized or arbitrary regulations by some Cabinet officer of matters and things not originally intended to be covered by such a law.

"We have in California, as you know, nearly 19,000,000 acres of Federal-owned national-forest land, the timber, mineral, and grazing resources of which are administered by the Secretary of Agriculture. To guard against the possible withdrawal under this bill by future Secretaries of all such territory as public shooting grounds and thus eliminate the control of the State over the game therein, I suggest that the bill be amended by adding thereto another section to be numbered 19 * * *."

The amendment suggested is the one above set out.

I received the following telegram from the Fish and Game Commission of California under date of February 9, 1925:

FEBRUARY 9, 1925.

JOHN E. RAKER,

House of Representatives, Washington, D. C .:

Your full support of migratory game refuge bill, with addition of section 19 as amendment, is earnestly requested. State rights are fully protected with addition of this amendment.

F. M. NEWBERT.

President California Fish and Game Commission.

I had an interview with Doctor Fisher yesterday and again to-day, and he advised me your department is satisfied with the amendment and can see no objection to it, and will consent to it being placed on the bill. With this amendment on the bill I am satisfied all the publicland States in which reserves are located will feel kindly disposed to the proposed legislation.

I trust you will send me your views on this Monday.

Respectfully submitting the same, I am

Yours most truly.

JOHN E. RAKER

Member of Congress.

On February 16, 1925, I received from Doctor Nelson, chief of bureau, the following reply: FEBRUARY 16, 1925.

HOD. JOHN E. RAKER.

House of Representatives.

DEAR JUDGE RAKER: I have your letter of February 14, concerning the proposed amendment of H. R. 745, which is desired by the California Fish and Game Commission. You state that this amendment should be added to page 11, after line 8, of H. R. 745, as section 19. as follows:

"SEC, 19. Nothing in this act shall be construed as empowering the migratory bird refuge commission herein created, the Secretary of Agriculture, or any other board, commission, or officer to declare withdraw, or determine any part of any national forest, national park, or power site a migratory game bird refuge or public shooting ground under any of the provisions of this act, except by and with the consent of the legislature of the State wherein such area is located."

Mr. Newbert, president of the California Fish and Game Commission some time ago brought the proposed amendment to my attention, and as it did not appear to seriously interfere with the main purpose of the bill, I assured him I raised no objection to it. I have been informed that Representative Barbour, of California, has the amendment in hand to introduce when the bill comes up for consideration on the floor of the House. However, I have also learned that some of the other Representatives have raised objections to it, I believe on the ground that the bill does not contain anything which calls for an amendment of this character, and furthermore that the amendment is too sweeping in its effect. I sincerely trust that the matter may be adjusted satisfactorily to the California delegation and also to the California Fish and Game Commission.

In this connection I would like to call your attention to the fact that H. R. 745 is for the sole purpose of benefiting migratory birds and not for any other purpose. You will note in section 3 of the bill, lines 19 to 23, that the purpose of rental of lands is "for use as migratory bird refuges and public shooting grounds."

Furthermore, in section 6, page 4, lines 19 to 25, and lines 1 and 2, on page 5, you will note a specific clause guarding the rights of the States. On page 5, lines 18 and 19, it is said that "Nothing in this act shall be construed to exempt any person from complying with the laws of several States." Furthermore, section 4, page 3, specifically provides that no land may be acquired for the purpose of this act until the States have consented to such acquisition.

In drawing the bill originally every effort was made to safeguard the authority of the States, leaving merely the control of migratory birds in the hands of the Federal Government where it was placed by Congress in the migratory bird treaty act and confirmed by the Supreme Court. There has been no desire to interfere with the States' authority over nonmigratory game or birds or fish of any kind.

I am making this explanation in order to show you how carefully we have tried to safeguard the rights of the States in every practical way.

E. W. Nm.son, Chief of Bureau.

On February 16 I received the following telegram from F. M. Newbert, Fish and Game Commission, California:

SACRAMENTO, CALIF., February 16, 1925.

Hon, JOHN E. RAKER,

House of Representatives, Washington, D. C .:

Unless suggested amendment to migratory game bird refuge bill is accepted and made part of bill, am not in favor of passage in original form, as section 4 does not protect States rights.

F. M. NEWBERT,

President Fish and Game Commission.

The amendment which I have presented is the one set out in the letter from Mr. Newbert under date of January 6, and likewise the same as referred to in my letter to Doctor Nelson under date of February 14, 1925.

It will be noted in Doctor Nelson's letter under date of February 16, 1925, he wrote, as follows:

Mr. Newbert, president of the California Fish and Game Commission, some time ago brought this proposed amendment to my attention, and as it did not appear to seriously interfere with the main purpose of the bill, I assured him I raised no objection to it.

I also submitted this amendment to Doctor Fisher, of the Biological Survey, and had several interviews with him, and he advised me the same was presented to the Biological vey of the Department of Agriculture and they had no objection to the same.

I submitted this amendment to the author of the bill, Mr. Anthony, who advised me that he had no objection and would consent to its adoption. With this amendment attached it will protect the interests of California and the other publicland States, and the Members of California can with propriety vote for the bill. Without this amendment we would be flying in the teeth of what the California Fish and Game Commission desire. They know the interest of California and wild life has been protected, and if there is anyone we can defer to we can surely defer to our fish and game commission, who have been so active in the matter and have made such a pronounced

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that

all debate on this section close in five minutes.

Mr. McSWAIN. Mr. Chairman, I have offered an amend-

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Amendment offered by Mr. McSwain: Page 11, line 8, after the word "kill." strike out the words "or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.

Mr. McSWAIN. Mr. Chairman and gentlemen of the committee, the proposed amendment is to strike out those words to make "attempting to hunt" a crime.

The Constitution of the United States, that is so much magnified, provides that treason against the Government can be established only by proof of an overt act by two witnesses, and yet here we propose to enter into the minds and go down into the secret intent of a man who is walking in a little path in the woods, to see whether he is intending to shoot some game in a preserve. Perhaps he intends to walk through the preserve and shoot some crows or hawks that are destroying his property. In other words, we are going to try to read the minds of a man who has a gun or is going to borrow a neighbor's gun.

Answering the argument of my friend from Texas [Mr. HUDSPETH], who is very different from any evangelist I have ever seen before, I will say that if I were an evangelist and a sinner came up to join my crowd, I would ask every one to sing and rejoice and be happy and welcome him into the fold. I will say that I welcome them and rejoice that those gentlemen are now coming to recognize the fact that there is danger in this constant encroachment of Federal power upon the rights

of the States. [Applause.]
Mr. RAKER. Mr. Chairman, I suggest that the section numbers should be changed.
The CHAIRMAN. Without objection, the Clerk will be au-

thorized to correct the section numbers in accordance with the requirements.

There was no objection.

The question was taken, and the amendment offered by the gentleman from South Carolina was rejected.

The Clerk read as follows:

SEC. 18. That this act shall take effect upon its passage and ap proval, except the provisions requiring the use of licenses, which shall take effect on the 16th day of August, 1924.

Mr. HAUGEN. Mr. Chairman, I offer an amendment. The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, line 7, after the word "the," strike out "16th day of August, 1924," and insert in lieu thereof "1st day of July, 1925."

Mr. HAUGEN. That is simply changing the date when the bill shall take effect.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. What is the date fixed in the amendment?

The CHAIRMAN. July 1, 1925. Mr. WINGO. Mr. Chairman, I offer an amendment to make

it February 31, 1925.

The CHAIRMAN. The amendment can not be entertained, because there is no such date on the calendar. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I move to strike out all

after the enacting clause.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. BLANTON. Mr. Chairman, that motion is not in order when I offer a preferential motion to strike out all after the That is preferential to the gentleman's enacting clause, motion.

The CHAIRMAN. The gentleman will state his motion again.

Mr. BLANTON. I move to strike out of the bill all after the enacting clause

The CHAIRMAN. Will the gentleman lay before the Chair

some precedents for such a motion?

Mr. BLANTON. It has been held many times that such a motion is in order as an amendment to the bill, but it is not preferential to other amendments. As long as the committee wants to offer perfecting amendments this amendment of mine is not preferential, but it is in order, and it is in order to such an extent that you can not move to rise as long as that motion is before the House.

The CHAIRMAN. The practice of the House justifies the Chair in such a case as this in asking a citation to the prece-

Mr. BLANTON. I cite the distinguished Chair to the distinguished parliamentarian, than whom there is no better in

the United States. [Applause.]

The CHAIRMAN. The Chair rules the motion out of order.

The gentleman from Iowa moves that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Luce, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 745) for the establishment of migratory bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question

on the bill and amendments to final passage.

The previous question was ordered.

SPEAKER. Is a separate vote demanded on any amendment?

Mr. BLANTON. Mr. Speaker, I ask for a separate vote on

each and all of the amendments.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Page 3, line 2, insert after the word "fund" the following: "Provided, No lands acquired, held, or used by the United States for military purposes shall be subjected to any of the provisions of this act."

The question was taken; and on a division (demanded by Mr.

BLANTON) there were—ayes 126, noes 9.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. Mr. BLANTON (interrupting the count). Mr. Speaker, I withhold that while the gentleman from Tennessee makes a

parliamentary inquiry.

Mr. GARRETT of Tennessee. Mr. Speaker, the stage for the recommittal of the bill is not passed, is it?

The SPEAKER. No.

Abernethy

Ackerman Allen Almon Anderson Andrew Anthony

Aswell Ayres Bacon Barbour

Barkley Beck Beedy Beers Bell

Bixler

Box

Black, N. Y. Black, Tex. Bland

Boyce Brand, Ga, Brand, Obio

Brand, Ohio Briggs Britten Browne, N. J. Browne, Wis. Browning Buchanan Bulwinkle Burdick Burtness Burton Campbell Canfield Cannon Carter

Casey Chindblom

Christophers Clague

Clarke, N. Y. Cleary Cole, Iowa Cole, Ohio Colton

Cook
Cooper, Ohlo
Cooper, Wis.
Corning
Cramton
Crisp
Croil
Cullen
Cummings
Dallinger
Darrow

Darrow Davis, Tenn. Deal Dickinson, Io

Dowell Drewry

Allgood

Arnold Blanton Bowling Busby Collier

Begg

Collins Connally, Tex.

Dickinson, Mo.

Connery

Mr. BLANTON. Mr. Speaker, I renew the point of order

that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eighty-one Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were-yeas 267, nays 38, not voting 126, as follows:

[Roll No. 77]

YEAS-267

	Driver	Leatherwood	Scott
	Dyer	Leavitt	Sears, Fla. Sears, Nebr.
	Eagan	Lee, Ga. Lehlbach	Sears, Nebr.
	Elliott	Lenibach	Shreve
	Evans, Iowa	Lilly	Simmons
	Evans, Mont. Fairchild	Lineberger	Sinclair
	Faust	Longworth	Sinnott
	Fenn	Lowrey	Sites Smith
	Fish	Luce McDuffie	Snell
	Fleetwood	McLaughlin, Mich.	Snydor
	Frear	McLaughlin, Nebr.	Snooke
	French	McReynolds	Sproul, Ill.
	Funk	McSwain	Stalker
	Gambrill	McSweeney	Steagall
	Gardner, Ind.	MacLafferty	Stedman
	Gardner, Ind. Garrett, Tenn.	Magee, N. Y. Magee, Pa. Major, Ill.	Stengle
	Gasque	Magee, Pa.	Stephens
	Geran	Major, Ill.	Stevenson
	Gibson	Manlove	Strong, Kans.
	Gifford	Martin	Strong, Pa.
	Gilbert	Mead	Summers, Was
	Goldsborough	Merritt	Swank
	Green	Michener .	Swing
	Greenwood	Miller, Wasn.	Swoope
	Griest	Mills	Taber Colo
	Guyer Hadley	Minaban	Taylor, Colo. Taylor, Tenn. Taylor, W. Va.
	Hastings	Montague	Taylor, Lenn.
	Haugen	Mooney Moores, Ind.	Temple Temple
	Hawes	Morin	Thatcher
	Hawley	Morris	Thomas, Okla.
	Hayden	Murphy	Thompson
	Hersey	Nelson, Me	Tillman
	Hickey	Nelson, Me Nelson, Wis.	Tilson
	Hill, Md.	Newton, Mo.	Tincher
		Nolan	Tinkham
	Hoch	O'Connell, N. Y.	Treadway
	Hooker	O'Connell, R. I.	Underwood
	Howard, Okla.	O'Connor, La.	Vaile
	Hudson	Oldfield	Vestal
000	Hudspeth	Oliver, Ala.	Vincent, Mich.
on	Hull, Iowa Hull, Tenn. Hull, Morton D.	Paige Parks, Ark,	Vinson, Ga.
	Hull Morton D	Peery	Vinson, Ky. Voigt
	Jacobstein	Perkins	Wainwright
	Johnson, S. Dak.	Phillips	Ward, N. Y.
	Johnson, S. Dak, Johnson, Tex. Johnson, Wash.	Purnell	Wason
	Johnson, Wash.	Ragon	Watkins
	Jones	Raker	Watres
	Kearns	Ramseyer	Watson
	Keller	Ransley	Weaver
	Kelly	Rathbone	White, Kans.
	Kent	Rayburn	Williams, Ill.
	Ketcham	Reece	Williams, Mich Williams, Tex.
	Kincheloe	Reed, Ark.	Williams, Tex.
	King Knutson	Reed, Ark. Reed, N. Y. Reid, Ill.	Williamson Und
	Kopp	Robinson, Iowa	Wilson, Ind. Wilson, La.
	Kurtz	Robsion, Ky.	Wingo
	LaGuardia	Romjue	Winslow
	Lampert	Rubey	Winter
	Lanham	Sabath	Woodruff
	Larsen, Ga.	Sanders, N. Y.	Woodrum
wa	Lazaro	Sandlin	Wright
	Lea, Calif.	Schafer	Zihlman
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Jougnton	Lozier
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Barrett, Tex.	Major, Mo.
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Hill. Ala.	Moore, Ga.
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NOT VOTING-126

Aldrich Bacharach Bankhead Butler Byrnes, S. C. Byrns, Tenn. Cable Berger Boylan Brumm Buckley

Sanders, Tex. Shallenberger Sherwood Thomas, Ky. Tucker Tydings Upshaw Wilson, Miss.

Celler Clark, Fla. Connolly, Pa.

Hall

Hardy Harrison Crowther Curry Davey Davis, Minn. Holaday Hull, William E. Dempsey Denison Dickstein Johnson, Ky. Johnson, W. Va. Dominick Doyle Edmonds Jost Kendall Kerr Kiess Kindred Kunz Fairfield Favrot Fisher Kynle Fitzgerald Langley Lankford Larson, Minn. Lindsay Foster Fredericks Free Freeman Frothingham Fulbright Linthicum Logan McClintic McFadden McKenzie McKeown McNulty MacGregor Madden Mansfield Fuller Gailivan Garber Garber, Tex. Glatfelter Graham Griffin

Mapes Michaelson Miller, Ill. Moore, Ill. Moore, Ohio Moore, Va. Morgan Morrow Newton, Minn. O'Brien O'Conner, N. Y. O'Sullivan Oliver, N. Y. Parker Patterson Peavey Perlman Porter Pou Prall Quayle Rainey Reed, W. Va. Richards Roach Rogers, Mass. Rogers, N. H. Rosenbloom

Salmon Sanders, Ind. Schall Seger Smithwick Spearing Sproul, Kans. Sullivan Sumners, Tex. Sweet Tague Timberlake Underhill Vare Ward, N. C. Wefald Weller Welsh Wertz White, Me. Wolff Wood Wurzbach Wyant Yates

So the amendment was agreed to. The Clerk announced the following pairs: Until further notice:

The Clerk announced the following pairs:
Until further notice:
Mr. Vare with Mr. Carew.
Mr. Kless with Mr. Kindred.
Mr. Madden with Mr. Weller.
Mr. Denison with Mr. Fouse.
Mr. Butler with Mr. Fouse.
Mr. Barders of Indiana with Mr. McClintic.
Mr. Sanders of Indiana with Mr. McClintic.
Mr. Connolly of Pennsylvania with Mr. Moore of Virginia.
Mr. Patterson with Mr. Davey.
Mr. Aldrich with Mr. Lindsay.
Mr. Davis of Minnesota with Mr. Johnson of West Virginia.
Mr. Sweet with Mr. Fisher.
Mr. Corry with Mr. Brisher.
Mr. Frothingham with Mr. Prall.
Mr. Wood with Mr. Richards.
Mr. MacGregor with Mr. Ward of North Carolina.
Mr. Wyant with Mr. McKeown.
Mr. Seger with Mr. O'Erien.
Mr. Brumm with Mr. Morrow.
Mr. Foster with Mr. Glatfelter.
Mr. Wertz with Mr. Glatfelter.
Mr. Wertz with Mr. Gler.
Mr. Griffin.
Mr. Porter with Mr. Giffin.
Mr. Porter with Mr. O'Connor of New York.
Mr. White of Maine with Mr. Boylan.
Mr. Yates with Mr. Oilver of New York.
Mr. Underhill with Mr. Rainey.
Mr. Frear with Mr. Smithwick.
Mr. Garber with Mr. Smithwick.
Mr. Garber with Mr. Smithwick.
Mr. Holaday with Mr. Smithwick.
Mr. Holaday with Mr. O'Sullivan.
Mr. Sproul of Kansas with Mr. Wolff.
Mr. Holaday with Mr. O'Sullivan.
Mr. Sproul of Kansas with Mr. Wolff.
Mr. Holadsy with Mr. O'Sullivan.
Mr. Porce were opened.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the next amendment.

Mr. BLANTON. Mr. Speaker, I withdraw my request for a separate vote on each amendment.

The SPEAKER. The question is on agreeing to the amend-

The amendments were agreed to.

The SPEAKER. The question is on the engressment and third reading of the bill.

Mr. BLANTON. Mr. Speaker, I ask for the reading of the

engrossed copy.

The SPEAKER. The gentleman from Texas demands the reading of the engrossed copy. Of course, it is not here.

HOUR OF MEETING TO-MORROW

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it shall adjourn to meet at 11 o'clock to-morrow morning.

Mr. KINCHELOE. Mr. Speaker, reserving the right to object, may I ask the gentleman from Ohio, if he does not object to stating, how much time is going to be allowed on the bill that

is coming up to-morrow under a rule?

Mr. LONGWORTH. I have just had a consultation with
the gentleman from Tennessee [Mr. Garrett]. I believe the rule provides for two hours' debate. The gentleman from Tennessee said he would like to have another hour's debate. I have consulted with the chairman of the Committee on Rules and he has no objection, so there will be three hours' debate, provided we can meet at 11 o'clock.

Mr. KINCHELOE. As I understand it, there will be one hour of debate on the rule and three hours on the bill.

Mr. BLANTON. There will be how much debate on the rule? Mr. LONGWORTH. The rule is in the ordinary form, and the chairman, of course, has an hour.

Mr. BLANTON. Then there will be one hour on the rule

and three hours on the bill.

Mr. LONGWORTH. There will be three hours' debate on the bill and as much of the hour on the rule as the chairman uses.

Mr. BLANTON. That is left with the chairman of the Rules Committee

The SPEAKER. Is there objection?

There was no objection.

NAVAL RESERVE AND MARINE CORPS RESERVE

Mr. BRITTEN. Mr. Speaker, I present a conference report on the bill (H. R. 9634) to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve, for printing under the rules.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills

of the following titles, when the Speaker signed the same:
H. B. 157. An act to authorize the more complete endowment of agricultural experiment stations, and for other purposes; and

S. 2357. An act for the relief of the Pacific Commissary Co. ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 10471. Authorizing the Postmaster General to permit

the use of precanceled stamped envelopes; and

H. R. 11725. To legalize a pier and wharf in York River at Gloucester Banks, near Gloucester Point, Va.

REFORESTATION

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks by inserting an address delivered by me at Hartford, Conn.

The SPEAKER. Is there objection? There was no objection.

Mr. CLARKE of New York. Mr. Speaker, under special leave to extend my remarks in the Record I insert the following address delivered by me before the Connecticut Forestry Association at Hartford, Conn., January 31, 1925:

Gentlemen, Connecticut was fortunate in acquiring its reputation early in the wood business, for to-day she would hardly be able to make a beginning or long continue the manufacture of even wooden nutmegs; indeed, Connecticut would have difficulty in supplying the citizens of its own State with wooden toothpicks for a generation, so complete has been the devastation, destruction, and consumption of your forests.

God's original endowment to Connecticut was a forested area of approximately 3,000,000 acres out of 3,084,800 acres, the total land area of your State. Your timber stand to-day is 1,500,000,000 board feet of second and third growth timber, much of it of inferior quality; your present rate of consumption to 260,000,000 board feet per year. In other words, in six years' time this State, famous in agriculture, manufacturing, and industry, would be utterly stripped of trees if it had to depend on its own forests for its supply.

Your citizenry and their thought regarding the future supply of timber remind me a good deal of the June bug-the light is all behind. You know where you have been but you know not where you are going. The trail of idle acres is too self-evident, journey where you will. You are a good deal in the same state as the colored woman of liberal proportions, whose boy was dutifully taking her out for her first trip in his Ford. They were run into, and when Mandy finally came to her senses in the hospital, the surgeon, seeking to cheer her up, remarked, "Mandy, think of the damages you will get." And Mandy replied, "Mah Gawd, man, 'taint damages I want; it's repairs I need." That is the condition of the State of Connecticut; and the question of repairs is being placed squarely before the citizenship of this great State, called on to decide whether they want a forward-looking reforestation policy and want the legislature of this State to authorize a \$5,000,000 bond issue for the purchase of land suitable for State forests and parks. I commend the proposition and urge the speedy authorization.

What has been done and is being done now is worthy of your attentien, so I bring to you a couple of examples of reforestation accomplishment within my own knowledge, one of an individual in my own district and the other the record of my native State of New York, to serve as comparisons, for it is the things we can see with our own eyes that convince; and while I realize, as our good friend, Mrs. Malaprop, says, that "comparisons may be odorous," I sincerely hope that the perfumery of my comparisons will reach into the conscience of the responsible citizenship of Connecticut, for each record stands out as an example of what can be accomplished if you will only get busy under proper leadership.

Example 1: In dear old Delaware County, the county of my fore-bears, 8 miles from everywhere, amidst the inspiring hills of my boyhood, and in the town of Franklin of beloved memories, was an old, run-down farm, with a small natural stand of white pine, totaling about 5 acres. A public-spirited, looker-ahead citizen of the highest type, Charles G. DuMond, bought this "pine grove" farm, and with a wife who could and would cooperate, and a boy then 6 years old, to transfer a worthy heritage to, in the spring of 1914, started a campaign of setting out trees with the wife and boy as helpers and copartners. Here is the story:

The figures below give the entire cost of trees, express, cartage, and planting:

Spring, 1914, 20,000 white pine, 2-year-old seedling Fall, 1914, 10,000 white pine, 2-year-old seedlings.	30, 00
Spring, 1915, 15,000; 500 white ash, 500 black white cedar (all 2-year-old seedlings), 1,500 1,000 Scotch pine, 1,000 red pine, 1,000 Norway	white pine,
Spring, 1916, 5,000 white pine, 2-year-old seedlings Fall, 1919, 4,000; 2,000 Norway spruce, 2,000 S	15, 00
2 year-old seedlings	16. 42
Fall, 1920, 5,000 Scotch pine, 3-year-old transplant Spring, 1921, 25,000 Scotch pine, 3-year-old transp Spring, 1921, 1,000 white cedar, 24,000 Norway spr	lants 221. 87
old seedlings	113, 26
Spring, 1922, 50,000; 20,000 Scotch pine (2-year-old 30,000 Norway spruce, 2-year-old seedlings	222. 20
Spring, 1922, 3000 red pine, 4-year-old transplants Forestry College, Ithaca	12.00
Spring, 1922, 1,500 red oak acorns, planted cost first item in this year.	included in
Fall, 1923, 5,000; 1,500 white cedar (2-year-old 1,000 white spruce, 1,000 Scotch pine, 1,500 bl butternut and hickory	ick walnut, 13.00
Fall, 1924, 1,000 European larch. Fall, 1924, 1,000 European larch, free demonstration 2,000 I set myself without cost.	2.00
Total cost	793. 33

Total trees planted, 170,500.

The seedlings overrun more than 30,000. The actual trees set are more than 200,000, and all coming along in good, healthy condition.

The total cost in fighting blister rust, beetles, and other enemies of trees, about two weeks of healthful, out-of-door exercise each year.

But the picture is larger than the brief story I tell, for it beholds the transformation of barren acres and idle woodlots in a few fleeting years, into an inspiring scene of what can be done with a little intelligent effort and at a minimum of expense. Good citizenship invites you to make such a helpful contribution in the little corner where you live. Mr. and Mrs. Good Citizen, of Connecticut, if you have the price to buy, or have idle acres, why not dedicate a little time, effort, and cash toward making those idle acres more glorious in the to-morrows, because you helped start growing thereon suitable trees, and if you want a good investment I commend you to Charley DuMond, Walton, N. Y., who can show that it pays in dollars and cents, for he has kept an accurate record.

On June 6, 1924, President Coolidge signed the so-called Clarke-McNary bill that established a national reforestation policy that, in the language of Colonel Greeley, Chief Forester of the United States, "represents a milestone of progress."

To celebrate the passage of this great conservation measure, there gathered on August 14, 1924, at Pine Grove, near Walton, N. Y., the Acting Forester of the United States, E. A. Sherman; Cliff Pettis, second graduated forester in the United States, who for over 20 years has been working under a splendid, sympathetic conservation commissioner, building up the State parks of New York, and promoting the growth of forests all over New York State; Dean Moon, the great leader of the State School of Forestry at Syracuse; Professor Collingwood, an indefatigable worker and champion of the policies of reforestation; and other leaders in and workers for reforestation, including thousands of plain citizens, to celebrate the passage of this reforstation law, but more particularly to dedicate Pine Grove Farm as a great outstanding example of what an individual could accomplish, the reforestation model or Exhibit A in the transformation of idle acres into glorious accomplishment.

We invite you, citizens of Connecticut, to come up into our beautiful Catskill country to see for yourselves Pine Grove Farm and other outstanding examples of reforestation that begin in and about that monumental engineering achievement, the Ashokan Reservoir, that furnishes New York City with water, where millions of young trees have been planted thereabouts as protection to and conservator of New York City's water supply.

Example 2: My own State of New York has been for over 20 years working on its forest problems. It has established nurseries that in 1924 distributed over 9,000,000 trees all through the State. It is building up great forest preserves or State parks that already contain over 2,000,000 acres in the Adirondack and Catskill regions alone, and at the last election we voted a bond issue of \$5,000,000 to be used for the purchase of additional land within these areas. This will provide

funds for a five-year purchase program. In addition to these two great parks, there are 8,500 acres in the Alleghany State Park, around 38,000 acres in the Palisades Interstate Park, approximately 1,000 acres in the Letchworth Park, and there are 38 other parks with smaller areas scattered throughout the State. In making the purchases for forestpreserve purposes, the State has paid from \$1 per acre for land entirely denuded of timber and severely burned over, to \$200 per acre for land covered with a heavy growth of pure, virgin, softwood timber. The average price for all lands is somewhere between \$15 and \$20 per acre, and the basis for land purchase, for unburned land and young growth, is about \$4 per acre plus the value of the standing timber of merchantable size and quality. We have the cooperation of individuals, fish and game clubs, farm and home bureaus, women's clubs, chambers of commerce, and by next spring we hope to have a forest day that will see every school child in my district with a tree to plant according to a definite plan-and not any old kind of tree, but a suitable one-if our good women, under Mrs. Clarke's leadership, can bring it to pass.

Connecticut, it is time you get busy, for when I think of the measley little 10,500 acres that embody your State forest to-day I feel the time for action has come, the plan is before you, and the challenge is raised to the good citizens of Connecticut. If you measure up to the obligation that accompanies good citizenship, you will immediately start writing your legislators to vote this \$5,000,000 bond issue, and you will go further. You have a splendid State forester, who badly needs additional funds in order to enlarge this infant nursery you have just started, so he can have trees to distribute to the citizens of Connecticut at not less than cost.

Again I bring to you the odoriferousness of comparison. The State of New York distributed well over 9,000,000 trees last year through its State conservation commission. These trees, 2 and 3 year olds, were sold to our citizens at from \$2 to \$4 per thousand, and many thousands distributed to our schools free. One man will easily plant 600 to 800 per day; but do not go at it single handed; take your boys or girls in as partners. The work is extremely light, intensely interesting, and you will set up in those little souls an interest in trees that will assure to the grandchildren a legacy in forests more worthy of them than your children are going to get from you.

We have an incorporated conservation association in the State of New York, individuals voluntarily joining and paying dues to this association, that seeks to back up all conservation measures. This association is urging and expects to see the capacity of our State forest nurseries increased so that 35,000,000 trees will be produced, distributed, and set growing in 1934, and we do not expect it is going to cost any huge sum of money, either.

Another thing you have got to impress upon your citizenry, especially those who toll in your factories, is the dangers that come from fire in our forests. You can obtain Federal cooperation and leadership in building fire-observation towers, to purchase equipment, and carry on this necessary fire-preventive work. Your people, like our own, need educating on the dangers from fires, carelessness, etc. Bring home to them the dangers of leaving camp fires burning after Sunday holidays and picnics in the woods. Your automobilists and joy riders especially need education, and a place to make the beginning is in your public press, through organizations like this one, in your Boy Scout organizations, and schools.

I want to paint you a little picture of what the State of Connecticut to-day is enjoying without effort on its part.

In the New England States, largely in New Hampshire, is the White Mountain National Forest. Why a national forest instead of a State forest is the question that naturally propounds itself, and here is my answer: It was my privilege to be invited by the select committee of the United States Senate to accompany it in its investigations that were carried on in 18 different States. We held our meeting in New York State and journeyed to Boston. From Boston our objective was the White Mountain National Forest.

As we journeyed toward it, we traveled for miles along the Merrimac River. We found community after community with their great manufacturing establishments dependent upon that stream for the employment offered to many thousands of people, dependent upon the evenness of the flow of that river for power that was harressed, used, then harnessed and used again. We found the increase in the flow of the water and the steadiness of the flow of the Merrimac, even to its lowest reaches in Massachusetts, was due to this national forest, way up in the New Hampshire hills. Looking to the west you could see the Vermont hills, and trickling down through the valleys were streams, feeders of the mighty Connecticut. With extreme fluctuation in the flow of the river largely eliminated because the run-off of the water was slower, due to the forests, with a greater amount of water in the river during the entire year, meaning increasing the depth of the flow by 5 or 6 inches, thanks to a national forest in the hills of New Hampshire. As we journeyed from the Androscoggin River into Maine, we found history again repeating itself, mills and more mills, water power after water power, employment and more employment to thousands of people. We also learned that during the summer, in that national forest, well over 2,000,000 people spent their vacations. So it follows, as the day the night, that every

New England State shared in the benefits of a national law that is gradually building up a greater White Mountain forest that will prove of immense service in every phase of the economic and industrial life of the New England States, as well as in the commerce of the Nation. We need such national forests established in and about this State, and in and about many of the other forest regions to the north, south, and west, and it is up to the State of Connecticut and the other States to enlarge on and broaden out their State policy of reforestation and get it going so that they can join hands with the National Government in a program that shall tell the world of to-day that they are not falling down in their great opportunity to bring back to our hills and dales the trees, to adorn and make more helpful the to-morrows under that national leadership offered in the Clarke-McNary bill.

So centered have we been on our own plans and work in the to-day that we seem to have forgotten that there is ever going to be any to-morrows. What we need is a real awakening of the conscience and a clearing of the vision. Such a vision as is ascribed by Kipling to Cecil Rhodes in those words written on the monument erected in his memory at the top of Motoppes Hill, South Africa, where a veritable empire he foresaw spreads out at his feet. These are the words:

"There 'till the vision he foresaw Splendid and whole arise, And unimagined empires draw To council 'neath his skies."

We need men and women whose hearts and minds are attuned to the idea of service to humanity; the kind of service described by Kipling, when he says:

"No one shall work for money, and no one shall work for fame; But each for the joy of working, and each in his separate star Shall paint the thing as he sees it for the God of things as they are."

Friends, let us this day rededicate our lives to service in that larger and nobler sense. Let us make our beginning by the appropriation you seek in this State. Let us bring back to our hills the trees and, with the trees, the birds, and fill again our woods with game and wild life. Let us again see our streams filled to the banks, and in those streams let us see the trout and bass at play, and let us make so strict the provisions for the protection to the wild life that will come within these woods and streams that no profane hand shall there raise itself to annoy or destroy. Bryant paints the picture

> "Before these fields were shorn and till'd Full to the brim our rivers flow'd The melody of waters fill'd The fresh and boundless wood: And torrents dash'd and rivulets played And fountains spouted in the shade.'

Think how quickly the end would come to a great industry with 46 per cent of its capital idle. That's exactly the status of the State of Connecticut to-day, a great agricultural and manufacturing State, with 46 per cent of its total area in idle acres; with no forward-looking policy in sight for the utilization of these idle lands; with a huge yearly economic loss in eroded soil that ultimately finds its way into Long Island Sound; of the threatening shortage in the supply of water in many communities and of an inferior quality in many more communities; of the recurring damages from floods because there is no forest protection to prevent or delay the run-off; and finally, of the inevitable closing down of the industries of the State that are depend-

Forests in their last analysis affect every phase of your local life, as they do every phase of our national life. Agriculture finds it necessary to use the products of our woods, whether in the home, at the barn, or in the implements with which they till the fields. Industry and manufacturing demand wood products, whether in loom or spindle, at every turn. Connecticut is certainly paying the price for the wastefulness and extravagance that has denuded her hills of trees, as almost every other part of the country is paying the price. The time has come when each State must take up its fair share of the burden of cooperating with the Federal Government in setting these idle acres-81,000,000 in the United States—to work. The Clarke-McNary bill furnishes a national leadership, but there are certain phases of the work that each State in and of itself must undertake as well as private organizations and individuals. The beckoning hand of duty, as well as opportunity, demands that the citizenship of Connecticut make its real beginning in authorizing a \$5,000,000 bond issue for the establishment State forests. Municipalities, school districts, individuals, have their place to fill in this great movement.

Last summer I had an invitation to attend a little celebration of dear, old Tom Luther. Tom had been at work for years setting out trees on that light, sandy soil in and about Saratoga. The select committee of the United States Senate in its historical work of investi-

gating this reforestation problem, visited the great nurseries of the State of New York at Saratoga. They also inspected the young trees Tom had set out, and this spring I was honored by Tom with an invitation to come up there to celebrate a monumental work by one individual. He had set out last spring over 1,000,000 young trees. I asked Tom how he came to do it, and, pointing to his children and grandchildren, he said, "CLARKE, these are my reasons." Citizens of Connecticut, "Go thou and do likewise."

EULOGY OF THE LATE SAMUEL GOMPERS

Mr. CASEY. Mr. Speaker, a dynamic personality has passed from American life. For more than 40 years Samuel Gompers, spokesman and head of the American labor movement, has been a constructive, stabilizing force in the development of the practices and traditions that determine the character and direction of life for the masses of our citizenry. That there has been steady progress in the thinking, the understanding, and the achievements of the wage earners of our Republic we owe to the quality of leadership that has directed the labor movement of this country.

The labor movement as it has developed in the United States has been an outgrowth of the conditions and the problems of American life and American thought. That our American labor movement has not followed foreign philosophies and practices we owe a great deal to Samuel Gompers, who came to this country at the age of 13 an immigrant boy, but who was inspired by a dominating love of freedom and who came to understand so truly the spirit and the method of American desire for democracy that he became one of the truest American

patriots who have served our great Republic.

Born in Spitalfields, London, January 27, 1850, he spent his early years in scenes of poverty and oppression that characterize the Ghetto of East Side, London. His parents, both born in Amsterdam, Holland, had come to London seeking better opportunities. The Gompers family can be traced back better opportunities. The Gompers family can be traced back for centuries, with branches in various European countries. Many members of the family rose to positions of importance and influence, but other branches were very poor and their members wage earners. From such a branch in Holland sprang the forbears of Samuel Gompers. His grandfather was a calico print cutter, his father a cigar maker. His first home consisted of practically one room. His early days were spent on the streets of London, where he learned the lessons of human nature and saw about him the life of an industrial community. Just across from the family home was a silk factory, the offices of which were immediately opposite the Gompers front door. Often he and his playmates were admonished to play quietly so as not to disturb the clerks in the office across the street; but there came a day when that office was vacant and the silk workers walked the streets instead of going to the factory. Although there were no longer the warnings against laughter and loud talk, this boy felt no desire for play or gayety. The silk workers were idle. After long years of patiently learning and perfecting the skill of their trade they found that machinery had been invented to do the work they had learned to do, and they were either dismissed or retained at lower wages. The men thrown out of work were reduced to the verge of starvation, and in groups walked the streets day and night shouting, "I have no work. My wife and kids want bread and I have no work to do." was a tragic situation that made a deep impression on the boy's mind. As the years passed it recurred to him repeatedly, creating in him a deep sense of responsibility for doing what he could to advance the cause of the wage earners.

After four short years of schooling his father was forced to put him to work and he was apprenticed to learn the cigarmakers' trade. After the day's work was done he attended night school, and for diversion was sometimes permitted to attend a concert or a play. But conditions in the cigar-mak-ing industry were not good in London ,and even with the help of his elder son the head of the Gompers family found himself unable to supply the family necessaries and he determined to immigrate to the new world. With his wife and children he began life anew in the East Side, New York. There Samuel Gompers went into the cigar-making industry, spending his evenings in night schools or the diversions of boy's clubs and

fraternal work.

As he grew older he became more keenly aware of the hard-ships and injustices which prevailed in the majority of the cigar factories of New York City. He felt more and more the responsibility for active work in the only agency which he found to remedy the wrongful conditions. With a group of fellow cigar makers he helped to develop a strong effective trade-union in New York City that was competent to deal with the problems of the industry, and to enable the cigar makers to bargain more equally with their employers. From active work in the cigar-makers' union he was brought into the larger field of the union movement of the whole city, and then became active in the national organization of his trade. Because he had won a standing in his organization and a reputation for ability in industry, he was designated to represent the Cigar Makers' International Union in the congress held in Pittsburgh in November, 1881, which organized the national federation of labor organizations which preceded the present American Federation of Labor.

In the first organization, called the Federation of Trades and Labor Unions of the United States and Canada, Gompers was one of the leaders, serving practically continuously as one of its executive officers. When it became apparent that an effective organization of national trade organizations must be organized in order to protect the workers industrially, Mr. Gompers was one of those who took an active part in arranging for the reorganization which took place in Columbus,

Ohio, in the fall of 1886. The new federation consisted of only trade-union organizations and was primarily to promote economic organization. The conference decided to elect a president of the new federation to give his full time to its work. Because many efforts to organize a federated movement had failed and no one could foretell the future of the new effort, this office of presidency for the American Federation of Labor fairly went begging in the first convention. It was offered to Mr. Gompers, at first refused, but after other prominent trade-union officials had also refused it seemed practically impossible to get some one of ability to accept the place, and then Mr. Gompers consented. The salary was only \$1,000 per year, or rather a promise to pay this amount. But it was seldom possible to meet this obligation. He at the time had a large family dependent upon him. He returned to New York and set about the difficult task of giving substance to the plan for a new labor federation. There was no money in the treasury, no officers, no precedents, and no system of work. In a little back office room loaned by Cigar Makers' Local No. 144 of New York, Mr. Gompers began the work of building the federation of American trade-unions. However, he made many personal sacrifices in the work, though his family not infrequently were

in need of food and clothing. Though he often had to take from his own meager funds money to carry on the work of the office, sustained by a vision of what the federation might become and urged on by a deep sense of responsibility for bringing betterment into the lives of his people—the wage earners—he worked on. Despite dis-couragement, despite obstacles, despite lack of cooperation, and despite faithlessness from those who should have given sustaining cooperation, he stood by the ship and finally had

the satisfaction of viewing achievements such as have been recorded by few, if any, other labor movements of the world. It was a most difficult period in which the federation de-veloped, for it paralleled a transitional period in industry. It was the period in which there was development of mechanical power followed by the concentration of production in larger units and the evolution of the quantity scheme of production. From the standpoint of organization of industry this meant the corporation and the big trust. As the power of management in industry became greater, labor organizations were under the necessity of developing corresponding organization and power. The federation was without power of any sort and had only such authority as was derived from a cooperative effort for defense of trade unions and their promotion. As Mr. Gompers so frequently expounded, the American Federation of Labor was built upon the principle of voluntarism, and owes whatever strength and achievement it secured funda-mentally to the fact that it existed by the desire and consent of the wage earners of the United States.

It is quite true that the federation is one of the most marvelous demonstrations of what can be done without compulsion by

the constructive method of education so that those concerned will cooperate in an effort to promote the best interest of all.

Mr. Gompers was a forceful personality, aggressive in his methods and unbending in his allegiance to principle. He had power because he did not attempt to dictate—because he did not attempt to compel. He won cooperation and earned the confident following of the wage earners of the United States. He had power and influence because he was the voluntarily chosen spokesman of millions of independent working men and women of our great Republic. The secret of his power was his unalterable allegiance to the principle of voluntarism. That he was incorruptibly honest no one doubted. That he could not be bribed

none knew so well as political leaders. That he could not be bought many an employer had proof positive. That he could not be tricked or beguiled from allegiance to principle was demonstrated time and time again in most grilling hearings before committees of Congress and public commissions. Never could he be fooled into accepting a proposal for compulsion, whether compulsory arbitration, compulsory investigation, or laws curtailing the freedom of voluntary organizations by State regulation, State control, or State ownership. To him the principle of voluntarism was the key to human freedom. In his championship of this principle he was a great apostle for a cause fundamental for human welfare.

In the early days his voice was raised for the cause as one crying in the wilderness. The Nation came to value the mes sage and to give heed to the counsel. There was laid upon his heart the burden of freedom for the wage earners of the United States, and as the spokesman for those whom he represented, he ever forced a hearing and consideration for his cause. Though all might not agree with Samuel Gompers, when he spoke they were compelled to listen with respect to his words.

Concrete evidences of the effectiveness of the leadership that built up the present American Federation of Labor are to be found in the following figures: The federation when Mr. Gompers assumed responsibility of leadership represented 125,000 wage earners. By 1896 the membership had grown to 265,000. In this period the federation was establishing its dominance over the Knights of Labor, was securing the affiliation of national unions, and organizing additional national trade-unions. During the period between 1886 and 1887 alone 19 new national unions were formed. The membership of the Knights of Labor in this year was 702,924. In 1897 there were approximately 272,100 members belonging to organizations affiliated to the American Federation of Labor, or 60 per cent. The membership of independent organizations was 174,900. In 1923 the membership of organizations affiliated was approximately 3,050,400, or approximately 80 per cent. The membership of independent organizations was 729,600. Since 1881 the trade-unious have been able to reduce the hours of work from 18, 16, and 12, until the eight-hour standard prevails for the greater number of wage earners. rates have increased proportionately. At the present time the American Federation of Labor is housed in its own building which is unencumbered by debt.

The membership of its affiliated organizations is approxiately 3,000,000. There are 108 national and international mately 3,000,000. organizations affiliated to it. It carries on its activities through these organizations and their 32,157 affiliated local unions. In addition, there are 408 directly affiliated local trade and Federal labor unions. For local activities it has 855 city central bodies and 49 State federations of labor. Additional evidences of the genuine, constructive progress made by the American labor movement is found in figures given out by the International Labor Office at Geneva on real wages of working people, with London as the basis, or 100; Philadelphia, 214; Ottawa, 173; Amsterdam, 89; Warsaw, 83; Stockholm, 81; Paris, 73; Christiania (now Oslo), 72; Brussels, 59; Madrid, 57; Prague, 56; Berlin, 55; Vienna, 47; Milan, 46; Rome, 46; and Lisbon, 32. These figures related to the sum-

The high average for the United States could not have been reached without both increased productivity per worker and higher wages paid for work done. Not only has the American Federation of Labor achieved remarkable success in the economic field but its record in legislative achievements is highly creditable. It has sought and obtained legislation providing the eight-hour day on Government work; a constructive immigration policy to prevent lowering of American standards of life and work; the enactment into law of a declaration of fundamental economic philosophy, "The labor of a human being is not a commodity or article of commerce"; the seamen's act, freeing the last of the American bondmen; constructive compensation legislation; provisions for a Federal Board for Vocational Education and for the maintenance of constructive work through this agency; the establishment of the Federal Department of Labor. These are among the more outstanding of the legislative achievements due primarily to the leadership and the persistence of the American Federation of Labor under the leadership of Mr. Gompers. They are enactments of public policy that promote not only the welfare of a group but the welfare of the whole Nation. It must be remembered that these are enactments of Federal law and that in practically every State of the Union there is an ample record of achieve-ment applying to the geographic area over which the State has jurisdiction, and it was the leadership of the American Federation of Labor that inspired this unity of action and purpose which has resulted in beneficent achievement for the wage

earners of every locality.

Under the leadership of Samuel Gompers the American Federation of Labor has achieved its political and legislative success through a political policy distinctively the product of American conditions. Samuel Gompers refused to be beguiled by alluring political propaganda from foreign countries and maintained steadfastly a practical and constructive political policy within the American labor movement. He held that the issues involved concerned not only a group but the whole Nation, and he refused to let the federation be forced into a

position of class partisanship.

The breadth of his ideals and his purpose was not fully revealed until the period of the World War, although at no time was he more distinctly and unreservedly an American patriot, battling for American ideals than when he, with two colleagues, Frank Morrison and John Mitchell, dramatized for the whole country the meaning of the abuse of the writ of injunction, against which labor protested. When in the Buck's Stove & Range Co. case he was confronted with a writ of injunction that forbade him the right of free speech and free press, he did not hesitate a moment to make known that he valued his constitutional rights and liberties more highly than he valued immunity from legal proceedings or prison sentence. condemned to jail for one year for exercising the right of free speech and free press and asked by the judge if he wished to make any statement as to why sentence should not be pronounced, in words that are worthy to rank with the utterances of Patrick Henry and Samuel Adams, he stated fearlessly that he, as an American citizen, had the right to discuss abuses and precedents that would undermine constitutionally guaranteed liberties. When the World War came Samuel Gompers, sooner than many others, perceived that the vital issue involved in that war was the perpetuation of democratic institutions. Even before our country was involved in the war he was taking an active part to prevent the labor movement from being drawn into the propaganda and giving unconscious service to the cause of German imperialism.

In contrast to his habitual practice of refusing to be drawn into governmental administrative responsibility, he accepted from the President of the United States appointment to the Advisory Commission to the Council of National Defense. Advisory Commission consisted of private citizens, experts in some field of endeavor necessary to the conduct of a national war. In that capacity he rendered invaluable service to the Government, and by a most remarkably wise and understanding leadership he made it possible not only for the labor movement of the country to offer its cooperation to the Government for national defense, but for the Government to understand the spirit and the value of the offered cooperation and to enter into joint agreements which recognize the functions and the responsibility of the organized labor movement.

Not only here but abroad did the president of the American Federation of Labor render war service. It is said on undisputable authority that when Arthur Balfour was asked what was America's greatest contribution to the World War he an-

swered in just one word, "Gompers.

When labor in allied countries had grown war weary and had about lost faith in the purposes of their respective governments it was then that Samuel Gompers undertook the mission of reviving allied labor and strengthening their determination to stand steadfastly by the cause represented in the Though not a young man, at the time weary allied coalition. by the incessant demands of war service in this country, he went upon that mission which would have daunted many a younger man, entailing as it did physical dangers and hard-ships, as well as the necessity of contending for leadership with some of the most subtle minds of European labor and socialists. He succeeded in that as he had succeeded in mobilizing the American labor movement in support of the American Government. When the peace treaty at Versailles was being written it was Samuel Gompers who was chairman of the international commission on labor legislation, and who in a large measure determined the form in which the labor provisions of the Versailles treaty were drafted.

An evidence of the truth of his statesmanlike mind and the

youthfulness of his imagination occurs in the fact that one of the most important undertakings upon which he engaged at the close of the World War was the organization of the Pan American Federation of Labor. When after years of endeavor he had succeeded in helping the Mexican workers organize a Mexican Federation of Labor he planned to make this beginning the instrumentality for spreading the trade-union movement throughout the Pan American countries. In those

countries where the Latin influence dominated and industrialism was not well advanced wage earners were under the double handicap of having to fight for political as well as economic rights. As the union of Pan American countries was developing it was obvious that industry and commerce must develop accordingly, and in world markets there would be competition between the standards of work and life in the United States and those of the Pan American countries. order to maintain our own high levels of civilization and human life he planned to develop opportunities for the tradeunion movement to render service on an international scale. How well he rendered that service and how fully it was understood and appreciated we had evidence in the last days of Samuel Gompers.

The recent convention of the American Federation of Labor was held at El Paso, Tex. The convention of the Mexican Federation of Labor was held across the international bridge in Juarez. There were joint meetings of these two federations of labor in which there were expressions of desire for international peace and for the welfare of the labor movements of both nations. Seldom has it been granted to anyone of any walk of life to hear such unreserved appreciation and commendation for long and honorable service as were given to Samuel Gompers at the joint meetings of those two federations, and when at the close of the convention Mr. Gompers went to Mexico City as the guest of the President elect, Gen. Plutarco Elias Calles, he was to observe the inauguration of a President who, for the first time in Mexican history, was to succeed his predecessor as the constitution provides. It was labor of the United States and Mexico that made possible that constitutional accession. The Mexican Federation of Labor has been the big stabilizing, constructive force in Mexican life, and is making it possible for Mexico to organize an industrial and civil life to promote the arts of peace.

It was after he had participated in these events that marked the grounding of a distinct period in the history of Pan American labor that Mr. Gompers was stricken down. As he had always wished, he was in the harness until the end. in service. He lived through the hurried journey that took him northward again onto American soil, and in the city of San Antonio, made famous by its heroic defense against a foreign government, he breathed his last, and the final words that passed his dying lips were a prayer for that which was dearest to him and that for which he had given a life of service:

God bless our American Institutions; may they grow better day by

These were the dying words of this great American. May his soul rest in peace.

ADJOURNMENT

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House, in accordance with its previous order, adjourned until to-morrow, Saturday, February 21, 1925, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. UNDERHILL: Committee on the District of Columbia. H. R. 12331. A bill to amend an act entitled "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by wilfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances," approved March 23, 1906; with amendment (Rept. No. 1533). Referred to the House Calendar. Mr. LUCE: Committee on the Library. H. R. 12233. A bill establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anni-

states in the observance of the one numbered and affect anniversary of the signing of the Mecklenburg Declaration of Independence at the city of Charlotte, N. C., on May 20, 1775, authorizing an appropriation to be utilized in connection with such observance, and for other purposes; with amendments (Rept. No. 1534). Referred to the Committee of the Whole House on the state of the Union.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 11365. A bill to establish a national military park at Fort Stevens, in the District of Columbia, and to authorize the acquisition of such lands as may be necessary to preserve said fort; without amendment (Rept. No. 1537). Referred to the

Committee of the Whole House on the state of the Union.

Mr. LUCE; Committee on the Library. S. 310. An act authorizing the Secretary of the Interior to acquire land and erect a monument on the site of the battle with the Sioux

Indians in which the commands of Major Reno and Major Benteen were engaged; with an amendment (Rept. No. 1538). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. 3824. An act to provide for the appointment of a leader of the Army Band; without amendment (Rept. No. 1539). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 12343.

A bill to create an additional judge in the district of Minnesota; with an amendment (Rept. No. 1540). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. J. Res. 186. A joint resolution authorizing the sale of the old Federal building at Toledo, Ohio; without amendment (Rept. No. 1541). Referred to the Committee of the Whole House on the state of the Union.

Mr. GILBERT: Committee on the Library. H. J. Res. 28.
A joint resolution authorizing the Joint Committee on the
Library to provide for the restoration and completion of the historical freize in the rotunda of the Capitol; with an amendment (Rept. No. 1542). Referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res.

341. A joint resolution to provide for the expenses of delegates of the United States to the Pan American Educational Confercence; without amendment (Rept. No. 1543). Referred to the Committee of the Whole House on the state of the Union,

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 7554. A bill to authorize the payment of an indemnity to the Government of Nicaragua on account of damages alleged to have been done to the property of Salvador Buitrago Diaz by United States marines on February 6, 1921; without amendment (Rept. No. 1544). Referred to the Committee of the Whole

House on the state of the Union.

Mr. HULL of Iowa: Committee on Military Affairs. S. 2294. An act to equalize the pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; without amendment (Rept. No. 1545). Referred to the Committee of the Whole House on the state of the Union

Mr. GRAHAM: Committee on the Judiciary. S. 4059. act to provide for an additional Federal district for North Carolina; with amendments (Rept. No. 1547). Referred to

the Committee of the Whole House on the state of the Union.

Mr. MOORES of Indiana: Committee on Foreign Affairs.

H. J. Res. 294. A joint resolution extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa; without amendment (Rept. No. 1549). Referred to the Committee of the Whole House on the state of the Union.

Mr. REED of New York: Committee on Industrial Arts and Expositions. H. J. Res. 351. A joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exposition at New Orleans, La., to begin September 15, 1925; without amendment (Rept. No. 1550). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII, Mr. TEMPLE: Committee on Foreign Affairs. H. R. 12242. A bill to authorize the Hon. Stephen G. Porter to accept a medal and diploma from the Government of Brazil; without amendment (Rept. No. 1546). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12364) granting a pension to Lillian Pike, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials

were introduced and severally referred as follows:

By Mr. UNDERHILL: A bill (H. R. 12372) to provide for a complete code of insurance law for the District of Columbia (excepting marine insurance as now provided for by the act of March 4, 1922, and fraternal and benevolent insurance asso-

ctations or orders as provided for by the act of March 3, 1901), and for other purposes; to the Committee on the District of Columbia.

By Mr. WELLER: A bill (H. R. 12373) incorporating the Veterans of Foreign Wars of the United States; to the Committee on the Judiciary.

By Mr. REID of Illinois: A bill (H. R. 12374) granting the consent of Congress to the highway commissioner of the town of Elgin, Kane County, Ill., to construct, maintain, and operate a bridge across the Fox River; to the Committee on Interstate and Foreign Commerce.

By Mr. SPROUL of Illinois: A bill (H. R. 12375) granting the consent of Congress to the county of Cook, State of Illinois, to construct a bridge across the Little Calumet River in Cook County, State of Illinois; to the Committee on Interstate and Foreign Commerce.

By Mr. WEFALD: A bill (H. R. 12376) to extend the time for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, Minn., and the county of Traill and the town of Herberg, N. Dak., across the Red River of the North on the boundry line between said States; to the Committee on Interstate and Foreign Com-

By Mr. STRONG of Kansas: A bill (H. R. 12377) to prohibit the forging, counterfeiting, or altering of adjusted service certificates issued under the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. TEMPLE: Joint resolution (H. J. Res. 365) to pro-

vide for the expenditure of certain funds received and to be received from the Persian Government for the education in the United States of Persian students; to the Committee on Foreign Affairs

By Mr. MacGREGOR (by request): Joint resolution (H. J. Res. 366) providing for adhesion of United States to Inter-

national Court; to the Committee on Foreign Affairs.

By Mr. DAVILA: Joint resolution (H. J. Res. 367) authorizing the Secretary of Agriculture to cooperate with the Territories and other possessions of the United States under the provisions of sections 3, 4, and 5 of the act of Congress entitled "An act to provide for the protection of forest lands, for the protection of dependent act to provide for the protection of page 18. the reforestation of denuded areas, for the extension of nathe reforestation of denduct areas, for the extension of Lattional forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," approved June 7, 1924; to the Committee on Agriculture. By the SPEAKER (by request): Memorial of the Legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the State of Montana, urging Congress to enact legislature of the Committee on Congress to enact legislature of the Congress to enact legislature of t

lation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced; to the Committee on Ways and Means.

By Mr. HICKEY: Memorial of the Legislature of the State of Indiana requesting the Congress of the United States to appropriate funds to carry out certain recommendations of the Chief of Staff of the United States Army, made in furtherance of the national defense act of 1920; to the Committee on Military Affairs.

By Mr. GARBER: Memorial of the Legislature of the State of Pennsylvania urging Members to vote against passage of any legislation intended to increase the amount of water to be taken from the Great Lakes through the Chicago drainage canal for sanitation and power purposes; to the Committee on Rivers and Harbors.

By Mr. LEAVITT: Memorial of the Legislature of the State of Montana urging enactment of legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic

requirements is produced; to the Committee on Agriculture.

By Mr. MacGREGOR: Memorial of the Legislature of the State of Pennsylvania opposing legislation that will tend to increase the amount of water to be taken from the Great Lakes through the Chicago drainage canal for sanitation and power purposes; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. CROLL: A bill (H. R. 12378) granting an increase of pension to Anna Bower; to the Committee on Invalid Pen-

By Mr. JEFFERS: A bill (H. R. 12379) for the relief of C. B. Wells; to the Committee on Claims.

By Mr. KUNZ: A bill (H. R. 12380) for the relief of Harry A. Tedswell; to the Committee on Claims.

By Mr. PERKINS: A bill (H. R. 12381) for the relief of George S. Conway; to the Committee on War Claims. By Mr. WELLER: A bill (H. R. 12382) for the relief of Charles Lacy Plumb (Inc.); to the Committee on Claims.

PETITIONS. ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows

3853. By Mr. COLTON: Petition of Utah Mission of Seventh-Day Adventists, Ogden, Utah., opposing the enactment of S. 3218; to the Committee on the District of Columbia.

3854. By Mr. CULLEN: Petition of the Maritime Association of the Port of New York, indorsing H. R. 9535, the purpose of which is to grant to private shipowners a right of action when their vessels or goods have been damaged as a result of a collision with any Government-owned vessel, without recourse to the passage of a special enabling act in each case; to the Committee on Interstate and Foreign Commerce.

3855. By Mr. GARBER: Petition of the LeClaire Co., asking for support of legislation reducing postage rates; to the Committee on the Post Office and Post Roads.

3856. Also, petition of the Thomas Jefferson Memorial Foundation (Inc.), asking support of Senate Joint Resolution 166; to the Committee on the Library.

3857. Also, letter from Women's National Republican Club (Inc.), asking support of Wadsworth-Garrett amendment to the Constitution; to the Committee on the Judiciary.

3858. Also, petition of the American Federation of Teachers, the American Home Economics Association, etc., requesting opposition to House Joint Resolution 75; to the Committee on the Judiciary.

3859. By Mr. JOHNSON of Washington: Petition of Lawrence J. Hannan and 26 other citizens of Ridgefield and La Wash., opposing the compulsory Sunday observance bill, S. 3218; to the Committee on the District of Columbia.

3860. By Mr. MICHAELSON: Petition of the Chicago Conference of Seventh Day Adventists, opposing the enactment of Senate bill 3218, or similar legislation; to the Committee on the District of Columbia.

3861. By Mr. O'CONNELL of New York: Petition of the New York State League of Savings and Loan Associations, concerning the word "savings" in the McFadden-Pepper banking bill; to the Committee on Banking and Currency

3862. Also, petition of the Maritime Association of the Port of New York, favoring the passage of House bill 9535; to the Committee on Claims.

3863. By Mr. RAKER: Petition of C. A. O'Goode and Peter Claussen, Veterans' Home, Calif., urging passage of the Indian war pension bills, House bill 11798 and Senate bill 3920; to the Committee on Pensions.

3864. Also, petition of J. P. Thompson, vice president National Federation of Federal Employees, San Francisco, Calif., indorsing and urging the passage of the bill H. R. 8202; to the Committee on the Civil Service.

3865. Also, letter from the International Association of Police Women, Washington, D. C., indorsing and urging the passage of S. 4274 and H. R. 12248; also, letter from Apartment House Association of Los Angeles County, Los Angeles, Calif., protesting against passage of District of Columbia Rent Commission legislation; to the Committee on the District of Columbia.

3866. Also, letter from Mr. C. D. Kaeding, of Mills Building, San Francisco, Calif., urging support of the game refuge public shooting ground bills, S. 2913 and H. R. 745; also, letter from the California Development Association, San Francisco,

Calif., urging the establishment of a forestry experiment station at Berkeley, Calif.; to the Committee on Agriculture, 3867. Also, letter from the Lee Highway Association, Munsey Building, Washington, D. C., urging passage of the Arlington memorial bridge bill; to the Committee on Public Buildings

3868. Also, telegrams from W. F. Mixon, secretary California Highway Commission, of Sacramento, Calif.; George W. Borden, president Western Association of State Highway Officials, of Carson City, Nev., and resolution adopted by the County Supervisors' Association of California, by Stanley Abel, secretary, all indorsing and urging passage of the Colton bill, H. R. 6133; to the Committee on Roads.

3869. Also, telegrams from Albert Bensinger, Jack S. Goldstein, and Joseph Levinson, all of New York City, urging support of provision eliminating Pullman surcharge; also, telegrams from the Sierra Railway Co., Jamestown, Calif., R. S.

Busby, president, San Francisco, Calif.; S. H. McCartney, vice president Nevada-California Oregon Railway, of Alturas, Calif.; and the California Development Association, by N. H. Sloane, general manager, San Francisco, Calif., protesting against elimination of Pullman surcharge by direct legislation; to the Committee on Interstate and Foreign Commerce.

3870. By Mr. TILSON: Petition of Oscar Dowling, president

of Louisiana State Board of Health, and other citizens of the United States, declaring their appreciation of the great help of the Federal Health Department and the Bureau of Fisheries toward the solution of the oyster problems, present and past; to the Committee on Agriculture.

SENATE

SATURDAY, February 21, 1925

(Legislative day of Tuesday, February 17, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

SENATOR FROM SOUTH DAKOTA

The PRESIDENT pro tempore laid before the Senate the credentials of WILLIAM H. McMaster, chosen a Senator from the State of South Dakota for the term beginning on the 4th day of March, 1925, which were read and ordered to be placed on file, as follows:

> UNITED STATES OF AMERICA. STATE OF SOUTH DAKOTA.

Certificate of election

This is to certify that on the 4th day of November, 1924, at a general election held throughout said State WILLIAM H. McMaster was duly chosen by the qualified electors of the State of South Dakota to the office of United States Senator, to represent the State of South Dakota in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1925.

In witness whereof I have hereunto set my hand and caused the seal of said State to be affixed at Pierre, the capital, this 7th day of January, 1925.

By the governor.

CARL GUNDERSON, Governor.

Attest: ISEAL.

C. E. COYNE. Secretary of State.

COLUMBIA INSTITUTION FOR THE DEAF

The PRESIDENT pro tempore. The Chair announces the resignation of the Senator from Michigan [Mr. Couzens] as a member of the board of directors of the Columbia Institution for the Deaf, and appoints the Senator from Washington [Mr. Jones] in the stead of the Senator from Michigan as a member of the board of directors.

CONDITION OF RAILROAD EQUIPMENT

The PRESIDENT pro tempore laid before the Senate a communication from the chairman of the Interstate Commerce Commission, reporting (in compliance with Senate Resolution 438, agreed to February 26, 1923), for the month of January, 1925, on the condition of railroad equipment and related subjects, which was referred to the Committee on Interstate Com-

DISPOSITION OF USELESS PAPERS

The PRESIDENT pro tempore. The Chair lays before the Senate a letter from the Second Assistant Secretary of the Department of Labor, requesting permission for the destruction of certain obsolete and useless papers in the files of that depart-ment. The Chair appoints as a committee on the part of the Senate to consider the advisability of granting the request the Senator from Colorado [Mr. Phipps] and the Senator from New Mexico [Mr. Jones]. The Secretary will advise the House of Representatives of this action.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the chairman and secretary of the Progressive Party of the State of Oregon, inclosing certain resolutions adopted by that organization. If there be no objection, the communication and accompanying paper will be referred to the Committee on Agriculture and Forestry and printed in the RECORD.

There being no objection, the matter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows: